

Boston: 1847. Printed
William & Tracy for Cornhill

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TO BE CONSIDERED

THE THIRD CHURCH IN SALEM:

OR,

THE CHURCH OF 1735.

"RENDER TO ALL THEIR DUES."

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THE CHURCH OF 1735.

PART I.



In the arrangements for the last celebration of Independence in this city, it was agreed that the procession of the Sabbath Schools should be formed, according to the time of the organization of the respective churches. A member of the South Church Committee objected to the place of the Tabernacle School, and claimed it for the school, which he himself in part represented. As soon as the circumstance was made known to some members of the Tabernacle Committee, the claim was decidedly protested; but with the expression of a strong desire, that the difficulty, which was so entirely unanticipated, might be adjusted as quietly and fraternally as possible. Such was the predominant feeling in each of the Committees, that there was a prompt acquiescence in the proposal of the General Committee, to decide the question by lot. The lot was cast, and in "the disposal thereof," the Tabernacle School had the appropriate place of the Church of 1735.

In one or two instances, the claims of the South Church to this priority have recently been set forth in such a manner, that intelligent and disinterested persons, both clergymen and laymen, have expressed much surprise, that on the part of the Tabernacle Church no decisive appeal should be made to facts and documents. We refer particularly to the publication of the Sermon of the respected pastor of the South Church, at the "Thirty-Eighth Anniversary of his Ordination." In the paragraph, which purports to be an outline of the history of the Third Church of 1735, and the notes in the Appendix, the Tabernacle Church is presented in a relation to the South Church, and with a date of formation, which was as new and as unexpected, as if it had been stated to be a presbyterian branch of the Howard Street.

A venerable member of the Tabernacle Church, who, in respect to the subject before us, has "a perfect understanding of all things from the very first," immediately prepared a candid review of that part of the Sermon, to which in the sequel we shall ourselves have occasion to direct a more special attention. In the judgment of men of the first

standing in this city, it is perfectly conclusive against the claims of the South Church. Due allowance must of course be made for the personal bias of the writer. But although there are two sides to every legitimate question, yet the essential truth must be on one side only. And this may be so fully and fairly exhibited, that the conclusion is not to be invalidated by any argument on the other side, however ingenious or plausible.

We should probably have published this review, if it had not been for our unwillingness to appear before the community, in any mode of controversy with brethren, between whom and ourselves there should always be a mutual and cordial aim, "to consider one another to provoke (only) unto love, and to good works." We also believed, that with the public at large, there really is no question in the case. And further, it never was supposed, that in any contingency there would be a direct collision of the claims of the two churches.

For these and similar reasons, the work which we now undertake, has not been performed at an earlier day. We are still no less unwilling to appear in the attitude of controversy, and we intend none other "provocation," than that which is scriptural in precept and apostolic by example; while we assert our liberty and our duty to establish historic fact, and vindicate the rights and proprieties of our ecclesiastical standing.

By formal request of the Tabernacle Church, the pastor prepared, at his convenience, a full Report upon the claims of the Church, as the true succession or continuation of the Church of 1735.* The pastor of the South Church being then absent, there was no further action, until after his return. As we wished to "deal kindly and truly," in all respects, we proposed to our brethren, that they should meet us in a friendly conference, or unite with us in some measure, by which the question between us might be amicably and effectually settled.

We were entirely ready and desirous to refer it to mutual friends, although in our simplicity we had thought, that our brethren might be convinced by ourselves alone, that they were cherishing an erroneous and unwarrantable claim.—We were of the opinion, that not any among them had ever thoroughly and fairly investigated its actual foundation. We could not suppose, that their venerable pastor had himself ever considered it, except as a matter, which, it was to be presumed, others had decided. We had no evidence, in a word, that the intrinsic merits of the question were at all understood, and appreciated. On the contrary,

* See Appendix A.

our belief was, that under the influence of tradition and imperfect knowledge, much had been taken for granted as true or proper, which will bear no candid examination; and that general impressions from a very limited and inadequate attention to the subject, had been allowed the highest authority of undoubted fact and indisputable justice. What has since transpired, has thoroughly confirmed us in our opinion and belief.

In proposing to our brethren the friendly consultation by a Committee, we felt assured, that at least we should persuade them, that we have no other than kind and magnanimous feelings in the action, which we contemplated; and that if we have misjudged our claims, or mistaken the mode of appropriate procedure, it is an error in regard to which we would open our whole minds and hearts for correction and conviction. They very emphatically declined our proposal. They could not think it expedient to have any conference with us. We then repeated our proposal, urging also a few considerations, to show them, that they ought not to regard the question, as having been long since settled, as they alleged; and that they ought not, from any fear of disturbing "peace, harmony and fellowship," to decline a *conference*, if a formal and final reference, upon the subject.

They reaffirmed their decision not to meet us. As if taking our communication for *our argument* upon the main question, they returned an elaborate and spirited rejoinder.—We have surmised, that it was considered by them as a triumphant refutation of our claims. The effect, however, was hardly such as may have been anticipated.

Such a document we had not expected; although assured of "no unwillingness, in itself considered, to engage in an investigation of the subject." It was not *investigation* that we sought, "*in itself considered*," but discussion, candid, conciliatory and christian, with a view to a settlement of all disputable matter. Yet as our brethren, or those who prevailed as the majority, would not confer with us, or accede to any suggestions which implied, that by any possibility they may be in an error, it was no small satisfaction to us, to obtain so full and so earnest a vindication of their cause. It has aided us very materially.

When it was read to the Tabernacle Church, it was followed by some critical, and perhaps occasionally some stringent remarks, upon its statements and reasonings. If our object were *controversy*, we should certainly have much pleasure in reviewing it at full length.

It could not be expected that we should continue the correspondence. No reply, therefore, was sent to the last

communication of our brethren. It was promptly voted, however, that the Report of the pastor, previously mentioned, and the Correspondence, with the Remarks, should be published.

On some accounts we should now prefer to carry this vote into effect, without any modification. But as we have since had the privilege of seeing for ourselves the Records of the South Church, we find that the whole discussion may be greatly simplified; and have been persuaded, that the object of this vindication can be better accomplished, by a different kind and manner of appeal.

It may be regretted by some, that any appeal like the present should be made. Our regret is, that such occasion has been given. It was not of our seeking, and we mistake very much, if any impartial reader will not be entirely satisfied, that the occasion is too urgent to be unheeded.

One single thought is enough. The origin of a church, like the birth of an individual, is a fact of time, which in cases of law may involve questions of very serious moment. In courts of justice and in all legal processes affecting churches, the date of the formation of a church, and other dates, like other facts, may be indispensable to appropriate procedure.

Names, too, may be of no small importance. In a legacy, for example, bequeathed to the Third Church in Salem, it would be a fair question at law, whether the South Church or the Tabernacle should receive it.

Besides, we shall be under the necessity of exposing some errors and inaccuracies, which are found in the discourse, published in 1843; from which we are very sure, that any one who has a just sense of the value of historic truth, will not deem it strange, that we should be unwilling any longer to keep silent as we have. And if there be any unpleasant consequences, the responsibility is not with us. We have waited long, in hope that the necessity of this vindication would be superseded.

The main question to be settled is, *Which of the two Churches in this city, commonly called the Tabernacle and South Churches, is entitled to be considered the Third Church of 1735?* The settlement of this question obviously determines another,—*Which has the chronological precedence or priority, in relation to the other Churches?*

The South Church claims to be the Third Congregational Church of Salem. This claim cannot be sustained, unless the Church can be identified, as the direct and legitimate continuation of the Third Church of 1735. It must be that Church, or it cannot be the *Third Congregational Church*. Of the *Third Church of 1735*, really and most

truly, the *Tabernacle* Church claims to be the uninterrupted and perpetuated organization. If it did not begin in 1735, it never had *any* beginning. No man is authorized by any known facts, to assign any other date.

The term *Third*, however, it should be remarked, is not properly a *fixed* name. Relatively, like its kindred numerical terms, it should denote the comparative age of a church. But it may, or ought to be transferred from one Church to another, in a change of circumstances. What is now the *Second* Church in Salem, was originally the *Fourth*. It became *Second* when the original *Second* and *Third* in Salem, became *First* and *Second* in Danvers. Hence, whatever may be said of the presbyterian admixture of government in the *Third* or *Tabernacle* Church, under Dr. Whitaker, the numerical term *Third* is its appropriate, and the only appropriate designation of *the time of its origin* or constitution as a Congregational Church.

But we would state explicitly, that we do not contend respecting the *name* *Third Church*, or the style "*Third Congregational Church*." We object and protest against *what is claimed under the name*, *THIRD CHURCH*. For almost seventy years we have disused, and perhaps it should be said, *discarded* the name altogether. The name *TABERNACLE*, which was substituted for it, has become known in all the earth. In the kind providence of God, the Church has numbered among its pastors, those whose praise is in all the churches, and whose memories are a priceless treasure, at home and abroad. The name is associated in our hearts, and the hearts of thousands elsewhere, with the most endearing and thrilling of all earthly remembrances. We should, therefore, as soon think of parting with a right arm or with a right eye, as with our present ecclesiastical name.

Let the present issue, then, not be misunderstood. Our brethren of the South Church claim the right to call themselves *Third Church*, and also to be considered the *Third Congregational Church* in Salem, as being the original *Third Church* of 1735. We, on the other hand, claim to be none other than *that same Third Church*. And in vindication of our proper ecclesiastical standing and our true history, we now call attention to

THE ORIGIN OF THE TABERNACLE CHURCH.

The two churches, as at present existing, are both recognized in the community, as Congregational, in good and

regular standing. As organizations, they are complete. Suppose now a disinterested inquirer wished to determine which of them he himself ought to consider the Church of 1735, and by consequence which the oldest organization. With the Records of both Churches in his hands, let him first examine those of the Tabernacle.

Tracing back the history of this latter Church from the present hour, he will come to the period when the Rev. Mr. Fisk, the first minister, retired from his pastoral relation, retaining in his possession the records of about eight years previous. The first date of the existing records is February 20, 1743. The book is called the "Book of Records of the First Church in Salem."

Elsewhere it may be learned that the Church, holding these records under the name of the *First* Church, had originated in a separation or ejection of the majority of the true First Church, by an act of discipline termed the *Third Way of Communion*. This was in 1735. The minority had remained upon the premises, but were not recognized by the majority in their proper ecclesiastical character, until 1762. Thus, for twenty-seven years, there were nominally two First Churches in Salem.

An equal division was finally made of the plate and other "interest," or property. The *name or style FIRST CHURCH*, was formally and forever relinquished by those, who, after consenting to call themselves, "*the Church of which the Rev. Dudley Leavitt was late pastor*," voted in May 1763, that "*this Church be called the Third Church of Christ in Salem, from this time forward.*"

It may be added, that although Mr. Fisk was at the head of the majority, at the time of the separation, it was found necessary to install him in 1736. And such concessions were made, about the time of the dissolution of his connexion with them, that the neighboring churches received them into fellowship, and put an end to the disabilities, which had been justly imposed upon them in 1735.

Let an inquirer search the Records, from the first page of the first book, through all the 500 pages, as also in the second book, and he will see the acts or proceedings of *one and the same identical, organised body*, in regular and unbroken series. He will find that the original covenant as a Congregational Church, was never renounced, although at the settlement of Dr. Whitaker in 1769, there was an unanimous consent, that the Church should be governed by the pastor and a session of elders, with the right of appeal to a Congregational Council, until another Judicature should be appointed.* He will find also, that five

* Appendix.

years afterwards, a majority by an irregular mode of proceeding adopted the Boston Presbytery as that Judicature, and the Church, for a season, was taken under the watch and care of that body. Three months after the connexion had begun, a disaffected minority, having maintained a controversy with the pastor for two years and upwards — a controversy *personal*, much more than *ecclesiastical* — during which they had mostly retired from the communion of the church — were *dismissed* under direction and by authority of the Presbytery. This was in Sept. 1774. (See Appendix C.)

They were thus understood to be, and were, as effectually separated from the Third Church, as any individuals were ever separated from any church; and the Third Church as it was in 1769, when Dr. Whitaker was settled, remained, with the vast majority of the congregation, with the pastor, the Records, the property and the whole essential organization, just as it had been for forty years previous, and with no modification of its internal management differing from the agreement with Dr. Whitaker in 1769. To that agreement the seceders who were dismissed, then unanimously consented, and were the foremost to carry it into effect. And those “uneasy brethren” were now, in Sept. 1774, just as much dismissed from the Third Church, and were so considered by the majority, as were the members, who, in 1802, were dismissed to the Church in Rowley, before they were organised as the Branch Church, since called Howard Street. They were of course no longer a part of the church, unless as dismissed members, in ordinary cases, they may have been regarded as somewhat amenable to the church, until formed into a new church, or recognized as members of some other church.

Dr. Whitaker, according to the Records, continued in his pastoral relation, until he was removed by an act of Council, February, 1784. Mr. Spaulding was his successor, in 1785, and the Records contain the proper notice of his settlement, as of his predecessors, Messrs. Leavitt and Huntington, with Dr. Whitaker, and his successors, Dr. Worcester, Mr. Cornelins, Dr. Cleaveland, and the present pastor, who was installed, Dec. 3, 1834. These all are duly noticed in the Records, as installed or ordained in regular succession from Mr. Fisk, and as the pastors of the Church of 1735, excepting that Dr. Whitaker was received, without the usual formalities of clerical installation.

It was not until after the removal of Dr. Whitaker, in 1784, that the name *Tabernacle* happens to occur in the Records, as the name of the church. It was introduced by no vote or act of the body, and was never afterwards

so recognized, as was the name 'Third Church,' which it had gradually displaced and ultimately superseded. The name originated from the house of worship, which was dedicated in 1777. But it neither denoted nor indicated any change whatever in the administration of the Church; still less any beginning, re-organization, or re-establishment; and nowhere in the Records can be seen the smallest perceptible trace or the faintest intimation, that the present organization, known in Church and State, as the *Tabernacle Church*, was ever dissolved, or had any other beginning, than that which is identified with the separation from the First Church, in 1735. No Council was ever called, and no minority or majority ever acted for any such purpose, as a dissolution or reorganization of the body.

If such evidence as this be not sufficient to prove the identity of the Church, as the continued organization of 1735, then no Church in the land can prove its identity, before a Court of Justice or an Ecclesiastical Council. Whatever opinions or pretensions, therefore, may be entertained by others, it seems to us that any candid inquirer would be entirely persuaded, that if any church in existence has the legitimate title to consideration as the Church of 1735, subsequently called Third Church, it must be the *Tabernacle Church alone*.

An anomaly indeed it would be, in all history from the beginning hitherto, that a Church should have the *Records of its acts, in regular order*, a whole generation, for example, before it had any being; or that a Church should have, *as its own*, the Records of any other Church !!

ORGANIZATION OF THE SOUTH CHURCH.

Let the inquirer now take the first book of the Records of the brethren, who claim for their Church the name and the consideration of the Third Church of 1735. He will find that the title and style of the Records are in correspondence with this claim. But he will of course not regard this as any proof of its being the real Third Church; for he will not be likely to forget the name and style of *First Church*, in the early Tabernacle Records. And he need not be reminded, that the same name or style might have continued to the present hour, if there had been no higher sense of historic truth and ecclesiastical propriety among the members, than prevailed for nearly twenty-seven years. But if it had so been, and whether or not the First Church had taken another name, it would obviously be an entirely distinct body from the Church of 1629; and

have no legitimate title to be called, any more than to be considered, the First Church in Salem. What is wrong at the beginning, there is no virtue in the lapse of ages upon ages to make right.

The first page of the Records now in hand, introduces us to the Result of a Council, bearing the date at the head, Feb. 14—16, 1775. Why it is not simply Feb. 14, does not appear. All the transactions and proceedings which are recorded under the date Feb. 14—16, would seem very clearly to have belonged to one day only, and that Feb. 14. This is the date of the vote for moderator of the brethren themselves, who had called the Council; and also the date of their signatures to the Covenant which they subscribed, previous to their recognition as a church in regular standing.

When the inquirer has read through the whole record of the Result of the Council, with a small part of the page following, we should not be surprised, if he should shut up the volume with perfect astonishment. We are very sure, that he would have occasion to say, that he had never seen or imagined the like before.

The Council, as he perceives, was but a small body, consisting of four ministers, with the accompanying delegates and the delegates also of one other church. Two churches in Boston had been invited, but were not represented. No church in Salem had part in the Council.

The members had assembled agreeably to Letters Missive, *not from the Third Church of Christ in Salem*,—but from *Benjamin Ropes, John Gardner, etc.*, fourteen in all, “representing that the Boston Presbytery, sitting in Salem, in September last, had declared them (together with many sisters of the church, provided they did not return in the time limited, now past,) to be dismissed from the Church now under Dr. Whitaker’s pastoral care, but without censure; and requesting advice and assistance in a re-establishment of church order.” And to this part of the document, we have no objection to make.

At an early stage of their proceedings, the Council attended to some statements concerning the doings of a previous Council, which was convened Jan. 10, at the call of the same brethren. Some of the members of the first Council were evidently a part of the second. And from what is said concerning Dr. Whitaker’s strictures upon the first Letters Missive, of which he had complained as containing “a wilful misrepresentation of matters,” and from intimations in regard to an expected or proposed Mutual Council, to be agreed upon between the Doctor and “the fourteen brethren.” it may be inferred very confidently,

that the Council of Jan. 10, dissolved their session, because of inability to find "light," for the recognition of the brethren as the Third Church, or as any church.

The present Council, however, this of Feb. 14, make numerous inquiries, as they say, consult divers papers, and conclude to act, according to the request of the Letters Missive. We very strongly suspect, that during the interval between Jan. 10 and Feb. 14, one member of the Council, Rev. Mr. Cleaveland, of Chebacco, who was probably of the first Council also, had fully prepared himself for the emergency, so that there might be no insuperable obstacle in the way of the contemplated proceedings. He was the most skilful and formidable antagonist, that Dr. Whitaker ever had to encounter.

It requires no very searching analysis of the proceedings of the Council, to trace two different and really incompatible objects as the apparent end in view, and two corresponding modes of inconsistent operation. The brethren doubtless wished to be recognized as the original Third Church, and the Council were solicitous to gratify them fully in this respect. At the same time, they had *no organization as any church whatever*, — according to the usages of the churches, with which they desired to be in fellowship. They had not only long been absent from the communion of the Third Church, previous to its being placed under the care of the Boston Presbytery, but, for about five months, they had also been declared to be *dismissed*.

The Cambridge Platform says:—"1. Saints by calling must have a visible political union among themselves, or else they are not yet a particular church, etc. 2. Particular churches cannot be distinguished one from another, but by their forms, etc. 3. This form is the *visible Covenant*, agreement or consent, whereby they give up themselves unto the Lord, to the observing of the ordinances of Christ together with the same society, which is usually called the *Church Covenant*," etc. And the "Congregational Manual," published during the last year, repeats these principles and declares, that "those who are qualified to be members of a church *do not constitute a church, before they are properly organized into a visible body.*"

As if fully aware of these principles, the Council proceed in such a manner as will secure for the fourteen brethren *an organization*, as a Congregational Church, in regular standing.

In the formation of such a church in the ordinary method, evidence is sought of the christian qualifications of the persons who are to be organized. This the Council obtain, by directing the brethren and sisters to *subscribe*

with their own hands individually, and in the presence of the Council,—the Covenant of the Third Church, in the days of Mr. Leavitt. It is to be understood, also, that the Council were well aware, that all of them had been professors of religion, for a considerable period.

If satisfied with the qualifications of persons in such circumstances, Councils usually express their satisfaction by some direct vote or resolution; and make arrangements for a formal recognition of them in church standing. The present Council pass a series of resolutions, one of them in particular most remarkable and unexampled; yet, in their further action, conform themselves essentially to the general usage in such cases.

In a public meeting, for instance, in the place of worship which had been fitted up for the brethren and their associates, the Result of the Council was read. The moderator then desired the brethren to make choice of a moderator of themselves; that is, a standing moderator for church business. Such a choice is usually made by designating one of the leading members of the new organization, or perhaps the pastor of a neighboring church. In this case, the brethren made choice of Benjamin Ropes.

The Covenant, which had been subscribed, was then also read, and doubtless assented to by the usual token;—“which being done, the Rev. Moderator in the name of the Council *declared fellowship with them as a sister church in regular standing*; and after the singing of a hymn suitable to the occasion, concluded with prayer.”

Now we should be glad to know from any Congregational minister in this County or State, if in these proceedings he cannot find an *organization and establishment of a Congregational Church*, with every essential as to mode and quality? And are there many of the older churches, which were more *regularly* formed, or which could more incontrovertibly identify the day, and describe the manner of their constitution?

We should also be glad to know, in what possible circumstances, or by what imaginable process of transformation, the fourteen brethren and twenty-four sisters, who were thus organized on the 14th of February, 1775,—and who before that day *had no organization*—could now be any other than a *new organization*, or a *new church*, and, as such only, entitled *to be considered, to be called, or to be numerically distinguished?*

Not to anticipate, we will just add in this connexion, that, if there had been but two older Congregational Churches, the new organization might have been styled, under existing circumstances, the *New Third Congregational*

Church. But as there were already *three* — leaving out of account the Third Church of 1735 — there was no more propriety in their being called the *Third Church*, or the *Third Congregational Church*, than in their being called and also considered the First Church.

The Council had a perfect competency to organize the brethren and sisters as a Congregational Church, in regular standing. Beyond or above that, they had no power to proceed. It was not for them to take away the rights of others, which were inalienable without consent. And neither from the words of the Great Head of the Church, nor from the accredited usages and established liberties of the New England Congregationalists, could they derive any authority or ability, to impart to the new organization of Feb. 14, 1775, any other rights or immunities, than such as are the common and legitimate possession of *all* Congregational Churches, when duly constituted or recognized. Unhappily, they entirely transcended the limits of their prerogative, and ventured upon an innovation, which we find it difficult to characterize, in terms of becoming moderation and forbearance.

In the midst of otherwise regular and satisfactory proceedings, the following resolutions were unanimously adopted by the four pastors, with the delegates:—

"It appears to us, after serious and careful attention to the best light which could be obtained, that the above named Benjamin Ropes, etc., together with those sisters above referred to, are, in a reasonable and just construction, *The Church*, which existed in the Rev. Mr. Leavitt's day, and was under his pastoral care, and which, before the ordination of the Rev. Mr. Huntington, consented to take the name of the Third Congregational Church of Christ in Salem, and that they are entitled to all the privileges of that Church"!

"We find nothing that ought at all to deprive them of the Communion of the Churches; and we recommend to them the renewing of their Covenant with God and with one another, at this time; and agree that the fellowship of the Churches be renewedly given to them, as a Church in good standing. We earnestly recommend to them that forgiving spirit,—that benevolent, inoffensive, prudent conduct,—which becomes Christians and is their defence and glory: and our prayer is that the God of love and peace may be with them"!

Mr. Leavitt was settled in April, 1745, and Mr. Huntington, in September, 1763. The Council, then, it will be noticed, did not see "light" enough, reasonably and *justly* to "constrict" the fourteen brethren and twenty-four sisters, as "*The Church*," which existed when Dr. Whitaker was settled in 1769; but "in the best light which could be obtained, the above named brethren and sisters" "appeared" to them to be, and *therefore*, it would seem, they were "*The Church*," which existed *thirty* years before, as

in "Rev. Mr. Leavitt's day," and *ten* years before, when Mr. Huntington was pastor! And yet Dr. Whitaker was settled as the pastor of the same Church,—the successor of those same pastors,—and with the heartiest approval of the same "above named brethren"!

It will be perceived, also, from the second resolution, that although the Council *organized* the brethren and sisters, in such form and manner as we have seen, they yet nominally endeavor to represent—they really *disguise*—the proceedings, as if they were only what would be suitable, in *a renewal of Covenant* by any Church which had long been constituted. But when did any Church thus renew their Covenant? When were witnessed such formalities of organization in presence of a Council; and yet the members of the body having no need of organization, being already a Church which had existed for forty years?

The second resolution was evidently moulded to agree with the first, and in combination with it was adapted to give a greater semblance of consistency, to the whole palpable inconsistency between what was pretended and what was done; and a delusive show of reason to the utter absurdity of *the attempt to create a fact*,—to "construct" a new organization, and so "*resolve*" it, or "*resolve*" concerning it, that it might be received as *identical* with the old,—and as the old formerly was, in the times of the pastors who had fallen asleep! If the like was ever known, before or since, in ecclesiastical history,—when and where was it?

And yet here is the whole foundation of the claim of the South Church, in opposition to that of the Tabernacle! As the successors of the "fourteen brethren," they assume to be the very individual Church of 1735,—upon the sole basis primarily of this first and this most extraordinary resolution of the small Council of 1775;—assembled too in circumstances of highly prejudiced excitement, and of very violent hostility to Dr. Whitaker and the adhering majority.

Can it be that there has been a calm and considerate view of the intrinsic merits of the *opinion* of those few ministers and delegates, one of whom probably was the director of all? Is it to be believed, that the *facts* have really been understood? Has the *reasonableness* and the *justice* of the unprecedented "*construction*," ever been subjected to a candid and truly enlightened examination, by those who now insist, that, not in name only, but in reality and right, they are the Third Church of 1735?

THE FIRST RESOLUTION OF THE COUNCIL OF FEB'R'Y
14, 1775, SPECIALLY EXAMINED AND ANALYZED.

The Council, it should be distinctly noticed, *assign no reasons whatever*, and do not in the least allude to any, for their "construction." There is not a syllable of the kind, in any part of their recorded Result. The "light" which they found to walk in, when they travelled out of the highway, and the more excellent way of the fathers, is all "darkness visible" to us, for anything that "appears." Why now that *concealment*, that diplomatic phraseology, instead of an open, ingenuous, intelligible declaration of their *reasons*?

"In a reasonable and just construction, it appears to us," etc.—*Construction of what*, we ask,—words,—persons,—things that were,—or things that were not? Who ever before heard of a "construction," by which to decide a simple question, in regard to a matter of fact? And is the individuality or identity of a church to be determined by an opinion, from an *appearance* in a *construction*, any more than the personal individuality or identity of any one of the members? What would be thought of a verdict of a jury, by which a matter of fact, especially affecting a man's identity, was affirmed or denied, according to a "construction"?

It would be impossible for us to account for this extraordinary resolve, were it not for the known opposition to Dr. Whitaker and the adhering majority of the Third Church. We can hardly suppose that the Council were so far infatuated, as to imagine that they could thus invest the new organization with the *legal* title to the property of the Third Church. Yet it may so have been, or have been hoped. But "the fourteen brethren" had been defeated in their conflict with Dr. Whitaker; having been overmatched or circumvented, by his dexterous and clandestine management. They had the strong sympathies of the members of this second Council, if not also of the first. And now we have not the slightest doubt, that this *extra-judicial*,—if we may borrow the term from the Courts of Law,—this entirely unprecedented procedure in the first resolution of this Result, was aimed at Dr. Whitaker and the adhering majority, partly, if not chiefly or entirely, as a kind of merited retaliation or reprisal, for the wrongs which they conceived themselves to have suffered at his hands. It must have been known, that it would be annoying in the extreme.

We should have been wholly at a loss for the idea or abstraction, as *the principle* assumed by the Council, in resolving as they did; if it were not for the following passage in a pamphlet by the leading member, Rev. Mr. Cleaveland, published nine years afterwards:—"In becoming a Presbyterian Church, the Third Church," he says, "ceased to be a Congregational Church, and relinquished all their peculiar rights, properties and claims of the Third Congregational Church in Salem; and the relinquished style and claims returned to such of their members, as afterwards re-assumed the Congregational form."

This passage, doubtless, refers to the action of the Council of February, 1775. In another paragraph there is also an allusion to the Result of this Council, as having "found light" to resolve as they did; with not a word, however, of explanation or vindication. Lest we should perplex the reader, by entangling the question before us, we pass over the occasion of this pamphlet and its general statements; only remarking that it was a conclusive reply to Dr. Whitaker's defence of himself against the Council which removed him in 1784.

Mr. Cleaveland was a very worthy man, and esteemed a good adviser. But in the Council of 1775, he was betrayed into an egregious error, which afterwards embarrassed him not a little. Greater, if not better men, have committed mistakes, which have much surprised their friends and others. And unfortunately, when a public man makes a mistake before the public, he is, in general, very slow to correct it or to confess it.

Let it be observed, that Mr. C. speaks of "*the Third Church*" as "*ceasing to be Congregational*"; not of *individual members*, as separately *withdrawing* from the church and becoming *presbyterian*, nor of their thus renouncing Congregationalism. So far as the church had been Presbyterian, he knew which part remained so, and substituted the Boston Presbytery for a Congregational Judicature.

"*The relinquished style*," etc., he says, "*returned* to such of their members," that is, of the Third Church,—"*as afterwards re-assumed* the Congregational form." Thus we have his testimony that the fourteen brethren had not *continued*, but *RE-ASSUMED* the Congregational form. And when did they *RE-ASSUME* this form, but at the time when "*re-established in church order*"; or, more correctly speaking, when organized and recognized by the Council of 1775?

Assuredly they could have had no organization separate from the majority of the Third Church, at any time antece-

dent to their withdrawal from the Communion; unless there were two churches in one body, or one church within another. If they had any organization previous to their dismission by the act of the presbytery, it has never come to our knowledge. And if after their dismission they were the Third Church, or were any church properly, then they could have gone forward as such, without any "*re-establishment in church order.*"

"The peculiar rights, properties," etc., of which Mr. Cleaveland speaks, must include the title to the Records, the plate, and all other pecuniary interest, if the amount had equalled the vast funds of the Trinity Church in New York. All this, it would seem, is "*relinquished*" by a church, becoming presbyterian, "*to such of its members as afterwards re-assume the congregational form!*" !!

It is amazing, that any sensible man could have ever been beguiled by such a shadowy and delusive assumption. We should think from the form of expression, that there was an established law, or some ecclesiastical canon, well understood, and which could at once be cited. But it is ASSUMPTION,—*every word of it.*

There is no law in Church or Commonwealth, no usage or precedent, to which an appeal could be made for authority, or example. Beyond a doubt, such law or precedent would have been cited, if there had been any, in all the previous history of New England, or of Christendom. It was the mere *opinion* or *sentiment*, the abstraction and imagination, probably of Mr. Cleaveland alone; which "*appeared*" "*reasonable and just*" to himself, and in which others acquiesced. But as a conceit or device of the hour, to give plausibility to a new and indefensible procedure,—it answered its purpose far too successfully.

As a *principle*, however, we can put it to the test at once. When the Branch Church in Salem became *Congregational*, there were some who were unwilling to surrender their presbyterian preferences or rights. Suppose that after being dissatisfied and dismissed, or otherwise separated from the church, they had called a presbytery to "*re-establish them in church order,*" as presbyterians. Could any presbytery, larger or smaller, have made them *the old Branch Church*?

Could any presbytery have put a *minority* in just possession, or invested them with a valid title to all "*the peculiar rights, properties and claims*" of that church, as existing in the days of Rev. Mr. Spaulding and Rev. Mr. Blatchford? The *funds* of the church, for instance, if any there were? And has not a presbytery, as much legal or

ecclesiastical authority, as any Congregational Council, whether ex parte or mutual?

The present Howard Street Church, as the Branch Church has since been called, dates its existence as a church, from its original organization, as presbyterian, in 1805,—and not from the time it became congregational, in 1827. The pastor of the South Church has so recognized this church, in the Appendix to his Sermon in 1843. If now a *presbyterian* church does not change *its identity*, as an organized body, by becoming *congregational*,—how does a congregational by becoming presbyterian?

If the *South Church* were now to adopt the presbyterian mode of government entirely, according to the standard of the General Assembly, Old School and New;—would the brethren say, that this church began in the year 1847? And if they should re-assume the congregational form, three years hence, would they date their beginning in the year 1850?

Is not the river Jordan the same river, although in its course it passes some miles under ground? Did Oliver Cromwell's Protectorate in Great Britain, make any difference in the identity of the throne and the realm of Charles Second,—as the continuation of the sovereignty of Charles First? Or did our City Charter alter the identity, and change the date of *Salem*? Are we not the same people as before, instead of being a new or another community? About as justly might the contrary be maintained, as that every man puts on a different identity, when he changes the fashion of his apparel.

The vote of a church to administer its affairs by a session, instead of the whole brotherhood,—and also to refer difficulties to a presbytery, instead of a congregational council,—cannot dissolve the organization, nor in any respect make it a new body, in point of time. A church might be presbyterian and congregational, every alternate year, or month even; without at all affecting the date of organization, or the ordinary constituents of ecclesiastical identity.

The Boston Presbytery, which had received the Third Church of 1735, under its watch and care, June 1774, reviewed the proceedings of the Council of Feb. 1775. In reference to the “*construction*” of that Council, the following minute was passed at the meeting in Seabrook, June 1, 1775:

“By the representation made to this presbytery in their session at Salem, last September, it was made abundantly to appear by Dr. Whitaker in the presence of his adversaries, that those and those only who adhered to the agree-

ment and covenant produced (exhibited) by Dr. Whitaker, are the Third Church in Salem, of which the Rev. Messrs. Dudley Leavitt and John Huntington were formerly pastors; and that they and they only are entitled to all the privileges and immunities belonging to the said Third Church.

ALEXANDER MCLEAN, Pres'y Clerk."

This witness is no more *ex parte*, than the Result of the Council, which it was designed to contravene. There were three times as many clergymen and twice as many delegates, as composed that Council. It was a very different body from the *Salem* presbytery, afterwards formed by Dr. Whitaker. And to say nothing of the high character of some of the members,—their testimony certainly is of some validity, in establishing our position, that *presbyterianism never changes the identity of a church as an organized body.*

We will suppose again, that a Congregational Church, has, in some way, regular or irregular, become Presbyterian; and that a minority are divided into *two or three different parties* or companies, who are unwilling to act in concert, for a new organization, or for any other future ecclesiastical relations. They call their *ex parte* Councils respectively, and are formed, or "*re-established in church order.*" They each, however, "*appear*" to themselves "*in the best light*" which they profess to be able to find, to be entitled to all "*the peculiar rights, properties, and immunities*" of the church, which still claims to be the original church, as a regular, undissolved organization. And each Council decides accordingly!

After all "*constructions,*" "*resolutions*" or "*results*," ever so unanimous and emphatic,—how many *original* churches would there be,—in addition to the church, from which these subdivisions of the minority had been dismissed; or with which they were no longer in regular standing as members?—The Crombie Street Church was formed by a separation from the Howard Street, in 1832. The *majority* of the church, and of the congregation, with the pastor at the head, were organized in due form, as a new church and society. What would have been thought of the Council, if after organizing the church, as it now exists, a vote had been passed, signifying the opinion of the body convened, that, in a reasonable and just construction, those brethren and sisters *are the Howard Street Church*, as it existed in 1827, under the pastoral care of the Rev. Mr. Williams? With how much more propriety could such a vote have been passed, than the resolution of the Council of 1775?

Any necessity of *re-establishment* or *re-organization*, im-

plies *the beginning of a new ecclesiastical body.* The different bodies in the case just supposed, might each take the *name* of the original church, and claim all the rights of the church. They might dismiss members under that name, and send letters missive. Other churches, in ignorance, or courtesy, or from honest supposition of propriety, might call them by the same name. But whether this were done for seven years or seventy, would make no manner of difference, in the matter of reasonableness and justice.

The laws of the land, in any question of property, would defend the Old Church, against all other organizations, by whatever name they persisted in calling themselves. If it were not thus, the powers of irresponsible ecclesiastical councils, would be above those of the Legislature. The enactments of the Legislature and the decisions of the Supreme Court would be completely under their feet. A beautiful state of order we should have, if a few of the clergy of the land could thus, at their pleasure, "lord it over God's heritage."

The simple historical fact is, that the resolution of the Council of 1775, had no more effect upon "the rights, properties," etc., of the majority adhering to Dr. Whitaker, and sustaining the organization of 1735, than if no such Council had ever been called.

The church of Dr. Whitaker,—the church of 1735,—of which he was still the pastor by the contract of 1769, retained all "the rights, properties," etc. of the Third Church,—in actual possession and legal protection.

Some of the dismissed members held property in their hands, which was regularly and formally *demanded* and recovered. (See Appendix D.) And when, in April, 1784, the church plate was in the hands of Dr. Whitaker, now removed from office,—and the church wished to take it from him,—a committee was empowered to demand it, and to use all necessary measures to *obtain* it. And it was obtained *by a writ of replevin.* It was obtained of course, as the property of the Third Church of 1735,—the same of which he had been pastor.

If the Rev. Mr. Hopkins's Church were *the* Third Church, why was there no such action on their part? How came *the laws of the land* to be on the side of the *Tabernacle* Church, as the church was then commonly called?

Such was the feeling towards Dr. Whitaker, at the time of the separation, that if by "writ of replevin," or any legal measures, the fourteen brethren could have obtained any part of that plate, there is not a shadow of probabili-

ty that they would have permitted the sun to go down, many times after Feb. 14, 1775,—before they would have asserted their rights. The fact that they did not, nor even formally demand any part of the plate, any more than the Records,—is proof demonstrative, that they were fully aware, that the resolution of the Council was in law a mere nullity.

They had a *claim in equity*, as the Third Church formerly had, in their settlement with the First Church. And when Dr. Whitaker had fallen to the dust, and his church and congregation were fast melting away, a committee of the church of Mr. Hopkins made some private effort to procure a recognition of their title to a share of the plate, belonging to the Third Church of 1735. How they proceeded, is not known, neither can be conjectured from what appears in the South Church Records; unless they did, as individuals were said to have been doing,—to wit, “*conversing with some of the members of Dr. Whitaker's church, in a soft, tender, and christian manner.*” It was by such manner only, that they could have had the least hope of success. Whatever they did,—they failed entirely.

This effort was about seven years after the Council of Feb. 1775, and two years before the plate was taken by “the writ of replevin,” on demand of its legal owners. But in October, 1785, when the church at the Tabernacle were about settling Mr. Spaulding, they consented to an equal division of the plate and all other interest of the kind,—Rev. Mr. Hopkins’s church paying one half of the expense. It was a token of conciliation in brotherly kindness, but not at all the recognition of any *legal* claim; and whatever may now be said of it, was understood at the time, but not in an invidious sense, to be a *peace-offering*. We have living testimony. (See Appendix E.)

The *legal* aspect of the question under consideration is so plain, that we do not at all wonder, that the fourteen brethren never presumed to try the experiment of an appeal to the law. Gentlemen of the highest eminence as jurists among us, have had it under their cognizance, in its essential points and connexions; and they have unanimously decided against the claims of the South Church. One recently deceased,—who was of the very first respectability,—kindly gave attention to the subject, and deliberately said:—“I am willing to give my opinion, as a lawyer, and to have it known as my judgment, that the South Church *has no claim at all* to be considered the Third Church in Salem, 1735!”

But look again at the doings of the Council of 1775. It

may be objected that the fourteen brethren, etc., were not *properly dismissed*; and that the action of the presbytery was invalid. Whatever may now be objected,—*the preamble of the Result of the Council* shows that the Council was called in consequence of their being “*declared to be dismissed*,” and as no longer in regular standing with Dr. Whitaker’s Church. The Council recognize this fact expressly; and as a warrant for them to proceed to business, agreeably to letters missive from the brethren. Mr. Cleaveland’s pamphlet, also, proves that the Council considered Dr. Whitaker, as having no *proper* claim to them, *as members*, they having *all been “dismissed from the church, so as to be no part of it”*—according to his own admission. But we will admit, for the sake of argument, that the fourteen brethren, etc., *had not been dismissed* from the Third Church.

Were *they*, then,—that is, the fourteen brethren *the* Third Church of 1735, or were they not? If *the* Third Church, how had they become so, to the exclusion of their brethren and sisters,—who were a majority of nearly two to one of the former, and about five to one of the latter?

These, the majority, never left the church! They had never withdrawn from it in any mode whatever. They were in the same organized body, of which Dr. Whitaker took charge, about six years before, and which came down through the ministries of Messrs. Huntington, Leavitt and Fisk. Let the vote be produced, if there be any, or any ecclesiastical act of any description, by which the predecessors of the members of the present Tabernacle Church *were dismissed* from the Third Church of 1735. Let the day or month or year be authentically shown to us, in which their relation as regular members of the Third Church, as Dr. Whitaker found it in 1769, *was dissolved*!

At the time of the Council of Feb. 1775, the majority, by a vast preponderance of numbers, were worshipping together in the same place of temporary accommodation; they had the same Covenant as ever; the pastor settled in 1769 was still their pastor, without any change of his relation to them; they had the book of records, the plate, and every thing which legally pertained to the inheritance of the Church of 1735, in its distinctive organization and perpetuation. How then is it possible, that a minority of that church could be *the Church*?

Take a case from among the majority. Two sisters of the Third Church, A. B. and X. Y., became members in 1766,—before Mr. Huntington’s decease. Enjoying the ordinary privileges of members in good and regular standing; and without ever asking a dismission, or ever leaving the

communion of the church,—they found themselves in 1776, under Dr. Whitaker's pastoral care, just as in 1773 or 1769. Of what church were they members in 1776, if not the same church which they joined in 1766? If not of that identical body, before called and then called *Third Church*,—how had they been separated from it?

Were they no longer members, without knowing it? Were they communing with brethren and sisters, the same as ever, and yet did not belong to their own church? Had they been transferred from one organization to another, while doing as Martha or Mary, or while they slept? Had they lost or changed their original church membership, without any more consciousness or suspicion of what had befallen them, than that they were no longer the same persons?

We will take the same individuals in 1786,—the year after Mr. Spaulding's settlement as pastor of the Tabernacle. They have now been communing for twenty years, as regular members of the Church of 1735,—according to their covenant. Were they or were they not *members of that church*? If so, why not their sisters and their brethren who were in like circumstances; and why were they not as a body,—how could they be otherwise than,—*the Third Church*, really and truly?

Dr. Whitaker, too, the pastor,—how had his relation to the Third Church been terminated? Was there any dismission of him in Salem, previous to his removal from office in disgrace, in 1784? Did “the fourteen brethren,” *as being the Third Church*, EVER DISMISS HIM? Did any Council of theirs ever DEPOSE him? Had they not tried in vain, for more than two years previous to Feb. 1775, to compel him to take a dismission; although not by any means as being, or professing themselves to be the Third Church,—to the exclusion of the majority who stood by him?

In Nov. 1778, these brethren settled Rev. Mr. Hopkins as their pastor, and called him pastor of the Third Church. Dr. Whitaker, was still in his place, continuing his office, as the pastor of the same church which settled him, and which as before called themselves the Third Church. Of this name, it may be added, he was very tenacious. Now it will not be contended, that both these pastors were over the same identical church, at the same time. But if Mr. Hopkins was the regular pastor of the Church of 1735, which had come down under the charge of Messrs. Leavitt and Huntington to Dr. Whitaker, by what magic or enchantment had Dr. Whitaker given place to Mr. Hopkins, without being at all aware of the change? Could he have

ministered to two different churches in one organic body, or as two different organic bodies, while never suspecting it, even to the day of his death?

Where, we would fain know, was the church of Messrs. Leavitt and Huntington, not in 1755, nor in 1765, but in July 1769,—when Dr. Whitaker was settled? Where July 1770, or 1771, 1772, 1773, or 1774?

Was Dr. Whitaker *ever* the pastor of “the fourteen brethren”? When he was their pastor, were *they* the whole church, or they and the twenty-four sisters? If not the whole church, of what church were they a part, except the *very church*, which, undissolved, continued to sustain him as their pastor, according to original settlement, until he was deposed in 1784?

Further,—if “the fourteen brethren,” etc. were not in their own right *the Third Church of 1735*, we do ask most seriously, *how could they become so*, by any action of themselves alone, or by the aid of any Council? Could it be by *calling themselves* Third Church, and obtaining the approval of four ministers and half a dozen delegates? Just so a miserable wreck of human nature may claim to be, and really be, *George Washington*, by being named for him, and indomitably affirming that he has been called *GEORGE WASHINGTON* as his proper name, ever since he was born!

A church may come to consist of one member only; and, if we mistake not, there is an example very near us. And although no Council, except possibly that of February 1775, would organize one member, whether male or female,—as a sister church, even by “construction”; yet one member of any church in regular standing is just as much *the church*, as any other, and as all others, *individually* considered.

The Council of Feb. 1775, resolved that “the fourteen brethren, etc. are in a reasonable and just construction *the church*, which existed in the Rev. Mr. Leavitt’s day.” Would it have made any difference, if there had been but seven brethren and twelve sisters? Or what if but four brethren and six sisters? Or two brethren and three sisters?—Reduce the number to one brother and one sister, or one brother alone, or one sister alone. *In their own right*, they were each, in all respects, one as much as another, *the Third Church of 1735*. In other words, the fourteen brethren were fourteen Third Churches, as “*existing in Rev. Mr. Leavitt’s day*,” and the twenty-four sisters were also twenty-four more Third Churches, in a “construction” as “reasonable and just,” as that all to-

gether were *the one* Third Church,—the rights of more than a hundred others to the contrary notwithstanding!

In no way whatever, then, can the “construction” of the Council of 1775 be shown to be “reasonable and just.” Their very word *construction*, used as it was in the circumstances, is fatal to every pretext of reasonableness.

They had no right from any source, no authority by any law or usage, to do anything else than simply to organize “the brethren,” etc. by whom they were called, and “re-establish them in church order.” Just as much power had they to pass effectual sentence of bonds or death upon Dr. Whitaker, as to *unchurch* the “adhering majority,” and dispossess them of all their rights in the Third Church of 1735,—in order that the new organization of the minority might have the whole inheritance. The majority were not upon trial by the churches,—according to “Third Way of Communion,” or in any way.

Councils, especially ex parte, were no more infallible, seventy years ago, than at the present day. We would not speak unkindly or uncandidly of that Council of 1775. We will award to them the merit of good intentions; but with all deference to their sagacity, we must say of their preposterous “construction,” that a greater mistake or a more inexcusable blunder could hardly have been committed.

It was the duty of that Council to give “advice and assistance,” according to *facts*. Of *these* and by *these* we too can judge. Some advantages we have, which they had not. And we have no question, that if the members had as well understood the difficulties and the proceedings of the Third Church, in 1775, as they did in 1784, that first resolve in their Result would have forever remained where it *should* have remained,—among the things which never were.

We have never had anything like it, in our churches. There have been hundreds of cases, in which both minorities and majorities have withdrawn, seceded, been dismissed, or exiled from the place where their fathers worshipped. But however much in any circumstances, those thus *withdrawing* or *seceding*, *dismissed* or *exiled*, may have been afflicted or wronged, it is the invariable custom to consider them, as of necessity requiring a new organization in some mode, and recognition as a distinct church, in order to enjoy a proper standing ecclesiastically, and avail themselves of the constitutional protection of the laws of the land. And we unhesitatingly affirm, that there is not a congregational clergyman in New England, who would put his name to such a resolve, as that to

which our brethren of the South Church would refer us, as if an immovable foundation for their claim as the Church of 1735. If there be any such clergyman, we should be happy to see an argument from him, to the point of "*construction*," and without any evasion or ambiguity. Let this be defended, if it can be, upon its intrinsic merits: and by some one, who is willing to be known among his brethren, as responsible for his opinions, and his expositions of New England Congregationalism.

If the Council of 1775 had confined themselves to their appropriate business, *the re-establishment of the fourteen brethren in church order*, we should have had a respect for their Result and for them, which it is not possible for us now to cherish.

CHURCH OF 1735.

PART II.

DISCREPANCIES IN PUBLISHED STATEMENTS, RESPECTING THE THIRD CHURCH DURING THE MINISTRY OF DR. WHITAKER.

In present circumstances, the reasons are urgent for an exhibition of some historical facts, from which it may be seen, that the Tabernacle Church had cause to desire a settlement of the points of controversy between them and their brethren;—not only from the liability to unpleasant direct collision, but still more from the palpable and irreconcileable discrepancies in the publications of the respective pastors.

In April, 1835, the pastor of the Tabernacle preached a discourse, in commemoration of the "First Centennial Anniversary" of the church, as being the Church of 1735. He gave an outline of the history of the church, with a particular notice of the series of pastors. It never entered his mind, that he was performing a service, which any person in the community would consider, as properly belonging to the pastor of the South Church. Yet if what has since been published by the latter, be a correct view of the subject, it was *his* place and not that of the pastor of the Tabernacle, to deliver such a centennial discourse.

Before it was given to the press, it was read to the pastor of the South Church, for his friendly criticisms. No objection whatever was made to the discourse.

As it contains a condensed summary of the most important particulars of the ministry of Dr. Whitaker, and was prepared under so much less of that bias of partiality, which the writer might now be suspected of feeling,—we will extract the whole of that part of the discourse, word for word, just as it was published, twelve years since.

"Dr. Nathaniel Whitaker succeeded Mr. Huntington. When he had received the invitation of the Church and Society to take the oversight of them in the Lord, he prescribed certain important conditions of settlement. One of these was, that a new form of church government should be substituted for the Congregational; and another, that he should enter upon his duties without the accustomed ceremonies of installation. The conditions were accepted.

The 28th of July, 1769, was appointed for public services at the commencement of his ministry here, and several clergymen were invited by the Church to be present, "as friends to the Society and the common cause of religion." The Rev. Messrs. Dimond, Barnard, and Holt declined giving their countenance to such an irregular proceeding. In a very friendly letter they remonstrated against the course. But the people were so charmed with the man of their choice, that they went forward as if under the reckless impulse of infatuation. After a sermon by the Pastor elect, one of the members of the Church read the invitation which had been given to him to settle with them in the ministry, and the Pastor read his answer to the invitation. In this manner was the Rev. Dr. Whitaker inducted into his office as Pastor of this Church! Dazzled by the brilliancy of his intellect and eloquence; captivated "by fair words and goodly speeches," they threw up their ecclesiastical liberties, and took upon their necks a yoke of bondage, which they soon found to be grievous beyond endurance.

The Constitution of Church Government presented by Dr. Whitaker in the Articles of Agreement between him and the Church, was essentially Presbyterian. It went beyond Presbyterianism, by giving to the Pastor a right to negative the votes of the elders and of the whole Church. On the contrary, it fell short of Presbyterianism, by providing for a reference of difficulties to congregational councils, until a stated Judicature should be determined. That this Judicature was intended by Dr. W. to be a Presbytery, is evident from the measures which he took in 1774, to bring the Church under the Boston Presbytery.

Hardly had the Church begun to experience the effects of the new mode of administration, when a very respectable number were aroused to make a determined effort to return to the former state. They endeavored, but ineffectually, to avail themselves of an article in the Constitution, by which the existing government might be modified or abolished. Some proposals, however, were made by the Pastor to prevent "the fourteen uneasy brethren" from prosecuting their opposition. Those members of the Church who preferred to be governed by the Constitution, and those who chose the Cambridge Platform, were to have their option. The Pastor was to preside at the meetings of each party in the Church. He was not to have the power to negative any votes of such meetings; *neither was he to be obliged to execute any judgment which they should make, unless he should think best!*

It is amazing that Dr. Whitaker should have supposed it possible, that a Church would consent to be thus virtually divided into two bodies, or that the aggrieved brethren would be ensnared by such a frivolous artifice. They replied to him with great force, and not a lit-

tle of stinging severity. At the close of their letter, bearing date November 18, 1773, they express "their earnest desire, that this plan of Church Government be totally demolished; and that the Church be allowed to return and rest upon the stable basis of pure and unmixed Congregationalism." (See Appendix F.)

It was not long before these brethren proposed to the Pastor to take a dismission from the Church. He at first waived the subject, being as unwilling to resign his office, as to demolish his favorite Constitution of Church Government. If at this time the brethren had demanded a Congregational Council, they would have acted in full accordance with the terms upon which that Constitution was received by the Church.

Having, by an adroit and clandestine process, placed the Church under the jurisdiction of the Boston Presbytery, he proposed to bring the subject before that body, in May, 1774. (See Appendix G.) His plan did not succeed. In September, the Presbytery held a meeting in this place. They recommended a reference of the difficulties to a mutual council, consisting equally of Presbyterians and Congregationalists. The recommendation was not accepted; and in consequence, the fourteen aggrieved brethren were dismissed from the Church by an act of the Presbytery. It may be added here, that these brethren were in February of 1775, regularly constituted a Congregational Church. Hence the origin of the Church now under the care of the Rev. Dr. Emerson.

When the new Church was formed, a very respectable Society soon surrounded and sustained the brethren. Reports unfavorable to Dr. Whitaker's moral character, were so current and so credible, that his congregation constantly decreased.

It should also be mentioned, that it was only a few months before the formation of the new church, that the meeting house erected for Mr. Fisk in 1735-6, was entirely consumed. Nothing but the pulpit bible and cushion were saved from the flames.

By very great efforts, the frame of the present house was erected in 1776. It was covered, and pews were made in 1777. But it was without galleries, without pulpit, and without even plastering upon the walls. In this condition, so emblematic of the miserable circumstances of the people, it was dedicated as a house of God. It was fashioned after the model of Whitefield's Tabernacle in London, and received its name in honor of his memory. He had preached for Dr. Whitaker but a short time before his sudden decease at Newburyport. Dr. Whitaker when in England, a few years previous to his settlement in Salem, had also received marked attentions from some of the most intimate friends and patrons of this eminent evangelist. Soon after Whitefield's death, he rendered an appropriate tribute to his character in two very able sermons. And when the present house was opened for the worship of God, he gave it the name which has ever since designated the edifice, the Church, and the Society.

Dr. Whitaker's feelings were much enlisted in the revolutionary contest. By his sermons he endeavored to animate the people to great exertion, and in various other ways, some of which were very unclerical, he labored to promote the cause of American Independence. While thus engaged in other employments than those which pertained to the warfare of a soldier of the cross, his christian character became more and more questionable.

In the autumn of 1783, the Church were compelled to investigate the current reports, so unfavorable to their Pastor. They had long been accustomed to frown upon them with indignation and contempt. They now applied to Dr. Whitaker to take some proper measures to

relieve himself and the Church from the stigma of general reproach. They were answered with severe rebuke, and were bidden to continue their attendance upon his ministry; meanwhile preparing their charges and proof, if they pleased to present the case before the Presbytery.

Of the Presbytery Dr. Whitaker was himself the moderator. It consisted of but a very few ministers; and not more than two or three of them had any pastoral charge. They were to meet at Groton in June of the next year. The length of time which must elapse before the Church could have a hearing, the distance of the place of meeting, and consequent inconvenience and expense of appearing there with the requisite committee and witnesses, and the improbability of obtaining an impartial and righteous adjudication, filled the minds of all who were specially interested, with impatient dissatisfaction and painful solicitude. Besides, the number of worshippers in the Tabernacle diminished with such appalling rapidity, that the building soon became a frightful picture of moral desolation. According to the testimony of a venerable member of the Church, still living among us, and to whom I am much indebted in the compilation of this narrative, "the whole congregation, except the families of *three* individuals, had scattered themselves among other religious assemblies." (See Appendix H.)

The attention of the Church was now directed in solemn earnest, to the nature and tendency of that form of government, by which they were so embarrassed and afflicted. The result of their deliberations was a full persuasion of the expediency of returning to the privileges of Congregationalism. Wishing to have a regular action upon the subject, they requested the Pastor to warn a Church meeting. This was refused. A meeting was then called by the elders. Votes were passed, abjuring all allegiance to any Presbyterian authority, adopting the mode of administration prescribed by the Cambridge Platform, and inviting a Council to inquire whether the Pastor had not forfeited his office, by his disorderly life.

When the Council assembled, they made some investigation of the subjects referred to them, and then proposed to Dr. Whitaker to unite with the Church in a mutual Council, consisting equally of Presbyterians and Congregationalists. He would listen to no such proposal, and utterly refused to acknowledge their title to sit in judgment upon the case. They met on the 10th of February, 1784, and adjourned to meet on the 21st. Their Result vindicates the right of the Church to appeal to a Congregational Council, confirms the doings of the Church in renouncing Presbyterian government, and declares Dr. Whitaker's connexion with the Tabernacle to be dissolved. (See Appendix I.)

This Result was hailed with great satisfaction throughout the community. Dr. Whitaker's labors were brought to a close on the 25th of March. The doors of the Tabernacle were barred against him. Such was now the situation of the man who, in 1769, was settled by acclamation. It is true, that the Presbytery at Groton, in June following, honored him as their head, and listened to him as their father. They excommunicated the Tabernacle Church, and gave Dr. Whitaker a certificate of their approbation and confidence. (See Appendix J.) He also obtained from the proprietors of the Tabernacle, a considerable sum of money, as an award for alleged losses and arrearages during his ministry here."

In the more recent and far more thorough investigation of the foregoing transactions, the writer has had the satisfaction to find, that there is scarcely a sentence, which needs any modification in general or particular. If, how-

ever, he had anticipated the present state of the subject, he would probably have introduced some other matters of information, and perhaps have been a little more precise in defining the space between some of the landmarks of time; so that the cursory reader might have been more sure to receive the intended impression. (See Appendix K.)

About eight years after the Centennial Discourse at the Tabernacle, a discourse was published, entitled, "A Sermon delivered in the South Church, Salem, on the Thirty-eighth Anniversary of his Ordination, by Brown Emerson, D. D."

One paragraph only in the body of the sermon, relates to the history of the Third Church :

"The Third Church was formed from the First in 1735, and prospered under the labors of its three first pastors, Messrs. Fisk, Leavitt and Huntington. But under the fourth pastor, Dr. Nathaniel Whitaker, a sharp contention arose between him and a part of the church, during which their house of worship was burnt, and a majority of the church adhering to Dr. Whitaker, became *Presbyterians*, built the house of worship now called the Tabernacle, and took the same name as their ecclesiastical designation. Their present pastor is the Rev. Samuel M. Worcester. After this withdrawal of the majority, which took place in 1774, entering another denomination and taking another name, the minority, in 1775, called an ecclesiastical council to decide the question, whether the minority, remaining on the Congregational platform, ought to be considered as the original Third Church formed in 1735? The council unanimously decided that it ought to be thus considered. The church that I have the pleasure to serve, has, accordingly, from that time to the present, been considered and called the *Third Congregational Church in Salem.*"

In the Appendix we find an extract from the Result of Council, which has been already cited in these remarks. There is also a list of the pastors of the Third Church, as follows :—

"THIRD CHURCH.—Samuel Fisk, [settled in] 1736; resigned 1745. Dudley Leavitt, 1745; died 1762. John Huntington, 1763; died 1766. Nathaniel Whitaker, 1769; withdrew 1774. Daniel Hopkins, 1778; died 1814. Brown Emerson, 1805."

The Tabernacle Church and the pastors, are thus distinguished in the Appendix :

"TABERNACLE CHURCH.—Nathaniel Whitaker, [settled in] 1774; resigned 1784. Joshua Spaulding, 1785; resigned 1802. Samuel Worcester, 1803; died 1821. Elias Cornelius, 1819; resigned 1826. John P. Cleaveland, 1827; resigned 1834. Samuel M. Worcester, 1834."

How far these two discourses agree, we would say it very pleasantly, it may be more difficult to determine, than how far they differ. And if such conflicting documents are fair examples of history, or the materials of history, no one need be surprised at its proverbial "uncertainties."

In commenting, as we must, our position is that of self-

defence. 'The public have a right to know the facts. We should be among the last to intimate or to suppose, that the venerable author of the "Thirty-Eighth Anniversary Sermon" had any intention of doing violence to the truth of history. And the careful reader cannot fail to notice, that the whole paragraph quoted from it is very peculiarly constructed. There is an evident purpose to establish the claims of the South Church, while in *the argument* which is so incorporated with the narrative, there is no expression of the preacher's personal opinions or individual convictions. He appears only as the organ of others, and as having no responsibility beyond that of a simple narrator of events and occurrences.

He could not have been unaware, however, that, in some very important particulars, his statements were in marked contrariety to those, which he had repeatedly heard, and which had been formally published. It is much to be regretted, that he did not go to the original sources of authentic information; and by appropriate research endeavor to verify, or to correct, his general impressions and very natural and allowable partialities. However sincerely he may have written, the mistakes and errors are none the less; neither are other persons any the less liable to be misled, and to credit or to publish, as upon the very best authority, what really is a radical or entire mistake in point of fact.

The sermon was *occasional*, and was given to the public, as a contribution to the history of Salem, as well as an affectionate acknowledgment of the very agreeable relations of the pastor to a people, who have so commendably and so long fulfilled their pledges of respect and esteem. It was quite extensively circulated, and was read by hundreds. It is to be found on the shelves of many clergymen and others, and most probably in the libraries of all our Historical Societies. Even to this day, after all the objections which have been made known, as it respects the question before us, copies are still distributed, as if it were most veritable and unexceptionable. It has begun to be quoted as such, in compilations of ecclesiastical statistics.

Again and again, have we been asked, "*Is that statement correct, in regard to the Third Church?*"—was the accompanying remark, or sentiment. We have always had a different impression,—was the accompanying remark, or sentiment. We of course have answered in the negative. And what we have said privately and freely, yet not unkindly, as we trust,—we must now be permitted to say publicly, while not at all insensible to the exceeding delicacy of this part of our vindication.

To the historic sketch of the 'Third Church, and to the

Appendix of the Sermon in 1843,—we have one objection, which includes all the rest. It is, that no person can here obtain any just idea of the origin and history, either of the Tabernacle Church or the South Church. The whole natural and inevitable impression is erroneous.

2. But to be more specific,—we object most unqualifiedly to *the date* of the origin or beginning of the Tabernacle Church. This is given, as 1774. We suppose it was by inference from the “construction” of the Council of 1775, and to present an appearance of consistency with the claim of the South Church. But may we write history by *inference* from assumptions or imaginations, to harmonize our hypotheses or theories, or accommodate “any private interpretation”? Never before did we see it published, or hear of its being written or spoken by any person, that the Tabernacle Church *began in 1774!* It would have been equally correct to have said 1794, or 1824, or 1854, or 4004.

3. The Church is also made to appear, as if formed by a well known and undisputed “withdrawal of a majority” of the church, which is now generally called the South Church. Such a license of speech, we must be allowed to say, is unauthorized in history, both civil and ecclesiastical. For a “majority” to consent to a change in the relation of a church to other churches,—by whatever method of expressing their will,—is no “*withdrawal*,” in any sense, from the church itself. The “majority” never moved a hair’s breadth from the organization, which was known in Salem as the Third Church. We know not how those could *withdraw*, who remained in the same place. In the Sermon, therefore, the expression “*withdrawal of the majority*,” is a misnomer altogether. It would in every respect be as true to say, in a history of our country, that, in consequence of the Stamp Act and other grievances, Great Britain *revolted* from the Thirteen Colonies, and declared independence, July 4, 1776!

4. It is equally an unauthorized statement in the Appendix, that Dr. Whitaker *withdrew* from the Third Church, in 1774, and *resigned* as pastor of the Tabernacle in 1784. He never was settled over but one church in Salem, from 1769 to 1784. With as good reason might it be said, that he *never* was pastor of the Third Church, “no, not for an hour,”—as that he *withdrew* from the church!

And a very extraordinary “*resignation*,” as well as “*withdrawal*,” Dr. Whitaker would have accounted it, if in his life-time, he had seen himself thus represented. In 1784 he was *removed* from his pastoral office, and was deposed from the ministry, by a course of measures, which he

resisted to the last extremity of infatuation and desperation. If as a member of the church he had been *excommunicated* for gross intemperance, it might as properly have been said, that he was "dismissed in good and regular standing."

5. The Third Church is described, as if the "fourteen brethren" had never been upon any other than a purely "congregational platform;" but as they were before Dr. Whitaker's settlement, and in the days of his predecessors, so they had "remained." Yet those identical brethren received Dr. Whitaker, with all his presbyterian conditions; and *three* of them were among his five elders or session, in 1769, 1770, 1771, and one of them in 1772. The statement, moreover, is entirely irreconcileable with the witness of the brethren themselves. (See Appendix L.)

6. The "majority," we are told, "became *presbyterians*," during the progress of the "sharp contention" between Dr. Whitaker and "a part of the church;" and that too, as is implied, *after* the burning of the house of worship, 6th of October, 1774. Both "the majority" and "the minority" were "presbyterian," *the one as much as the other*, when the "contention arose." The presbyterian admixture in the congregationalism of the church, was introduced by the whole body of the church, with one consent.

It was neither an effect nor consequence, nor cause, nor occasion of the "sharp contention." The fourteen brethren were a thousand fold more dissatisfied with Dr. Whitaker himself, than with the form of government, which, "with fair words and goodly speeches" he "persuaded them to adopt." Presbyterianism was one plausible pretext for the "contention;" but the "sharpness" of it was their entire personal loathing of "the proud, the arrogant, the haughty man," "the violent and overbearing."

The choice of the Boston Presbytery as a Judicature, instead of Congregational Councils, would not of itself have made the adhering majority, — that is to say, the Third Church, presbyterian. There are hundreds of Congregational Churches, on the Western Reserve, which are thus connected with presbyteries. When the Boston Presbytery accepted the petition of the majority, in June 1774, it was undoubtedly with the understanding, that the Third Church was already presbyterian, and had been so virtually, from the settlement of Dr. Whitaker. And it was the *Third Church*, which they took under "their watch and care;" not sundry seceding members of that church.

But all the measures, every one, which resulted in the

dismissal and separation of "the fourteen brethren" from the Third Church of 1735, *preceded* the fire of the 6th of October, by several months, or by whole years. And what effect could a fire have had upon church-membership?

Beyond question, however, these brethren were stimulated to attempt what they did, for "a re-establishment in church order," by a separate organization, in consequence of the disaster of the fire, which very greatly embarrassed Dr. Whitaker and his friends. Although, as individuals, "the fourteen" and some others had previously retired from the house of worship and the ordinances, as administered in the Third Church; yet it was not until after this event, that the strong wall of partition between the majority and the minority was thrown up, in the sight of all the inhabitants of the place. Hence it has been common to speak of *the separation*, as occurring after the fire of the 6th of October.

7. Between the 6th of October, 1774, and February 15, 1775, a period of less than five months,—"the majority," as represented in the history before us,—"built the new house of worship, called the Tabernacle, and took the same name for their ecclesiastical designation." This is the obvious meaning, as the sentences are written, designating chronologically the "contention," "the burning of the house," the "becoming presbyterians," "entering another denomination," and "taking another name." It was, according to the Sermon, *after* and *in consequence* of these events and proceedings, that the minority called the Council of Feb. 1775. No mention is made of the Council of Jan. 10,—which must have been called by the same "minority," in less than *three* months after the fire!

"The house of worship called the Tabernacle," so far from being built in mid-winter of 1774-5,—and so suddenly in that period of severe pecuniary distress,—was not even in *frame* of being, until more than a year after the time of the Council, which organized the fourteen brethren. A plan had indeed been devised, and arrangements for it were in progress. But *the name*, as "the ecclesiastical designation" of the majority, could have been no more a reason for the calling of that Council, than it was for the settlement of Dr. Whitaker in 1769,—or of Dr. Worcester in 1803.

Such errors do not in the least affect the merits of the main question at issue. But beyond a doubt those several events would not have been narrated as they were, in such anachronistic grouping or connexion, if it had not been for a supposed *argumentative* value. We know that some who heard, or who have read the Sermon, so considered

them; and referred to them, as very substantial *proofs*, even, that the Tabernacle Church ought not to be regarded as the Third Church of 1735. As if "another name" could make a new church; or as if Jacob could have been changed in his personal identity, or have sustained any loss in his rights or inheritance, by being called ISRAEL! We have always understood, that he was still *Jacob*, no less *after* than before he was so distinguished. We feel quite confident, that at least he was *before*.

8. According to the Sermon of 1843, the Tabernacle Church is *still presbyterian*, and also their pastor. It is said, "*their* present pastor is the Rev. Samuel M. Worcester;"—that is, the pastor of those "*presbyterians*," who "built the new house of worship," etc.

Not a word is said of the church, as ever having become congregational, or being otherwise than presbyterian, as in the days of Dr. Whitaker;—while in a note concerning the Howard Street Church, it is expressly stated, that that church was formerly presbyterian, but became congregational in 1827.

Any person, a compiler of statistics, for example, would conclude, of course, unless otherwise informed, that the Tabernacle is a presbyterian church, at this very day. Should it be thus? Was it necessary to refer to the Tabernacle Church in an oblique, incidental manner, instead of such a notice as was taken of the other churches?

There would have been a more serious difficulty, as we must think, in sketching a separate notice of this church, than in the course adopted. But not to have named the church, nor in any way to have alluded to it, in the Sermon or the Appendix, would have been more satisfactory to those most concerned. We were astonished and deeply aggrieved. It was too much to presume, that we should submit in silence.

9. From the statement of the call of the Council of 1775, it would be inferred, that their sole business was "to decide the question whether the minority remaining upon the congregational platform ought to be considered, as the original Third Church of 1735." But the preamble of the Result of the Council states, with special distinctness, that they were called to give "*advice and assistance in a re-establishment of church order!*"

10. It would also be inferred, that the Council took no measures whatever, such as are customary in the formation of churches. This was doubtless supposed to be true. But we have demonstrated from their own doings, as related in the South Church Records, that that very Council *organized* the brethren, according to every essential requi-

site of the approved constitution of congregational churches. The Council evidently meant to have them stand firm as a church; whether or not the other "construction" would stand. We had never heard of the Council of January 10, and were much surprised to find the references to it, in the same Records.

11. "The Council," it is said, "unanimously decided, that it ought to be so considered;" that is, the "minority," as we understand the antecedent of "*it*," "ought to be considered as the original Third Church formed in 1735." We must object to this sentence, as imparting a deeper shade of error to the natural impression, from the previous parts of this unfortunate paragraph.

We have heard of *unanimous* votes, to give popular effect to resolutions, as if the voice of a multitude were speaking; when, in sober fact, there was but a chairman, secretary, and, perhaps, one other individual, for the whole assembly or convention. The Council of 1775, we have seen, were not a very *numerous* body, and as we understand the resolution referred to, they did not express themselves, as if their light was "as the light of the morning, when the sun riseth, even as a morning without clouds."

Besides, it would seem to be implied, that the Council had final power, legislative or judicial; so that whatever they might decide, would be as binding as a statute of the Commonwealth, or a judgment of the Supreme Court of the United States in full bench. And of course no one, it would also appear to have been taken for granted, would presume to go behind their Result, and scrutinize the propriety and the validity of their proceedings. But there is a tribunal, which has reversed or annulled very many erroneous and unrighteous decisions. It is higher than all Councils, all Courts of Justice, and all Legislatures. To that we claim the privilege of appeal. It is the tribunal of unsophisticated, unprejudiced, unimpassioned COMMON SENSE.

12. In the conclusion of the narrative concerning the Third Church, it is said:—"The church that I have the pleasure to serve, has, accordingly, from that time to the present, been considered and called *the Third Congregational Church in Salem.*" It is thus very significantly implied, that the "construction" of the Council received very general approval, and that all which is claimed by the South Church as the Church of 1735, has been ratified by the concurring voice of the community.

We do not deny, that they of the South Church have "called *themselves* Third Church;" as Mr. Spofford, in his *Gazeteer for 1828*, has very precisely and emphatically

stated. We more than suspect, from the complexion of his article upon Salem, that he had Dr. Bentley's "Description," before him, and thence derived the hint for that very true and very suggestive remark.

Neither do we deny, that the South Church has sometimes been called 'Third Church' by others,—in courtesy or through ignorance,—principally, by those not resident in Salem, and those who had no particular knowledge of the veritable history of the church. But that the church has been intelligently and generally, in Salem or out of it, both "*called* and *considered* the Third Congregational Church" of 1735,—we must use the liberty of doubting, without reserve.

We care not how many witnesses may be brought against us, if we can only have the privilege of a fair and honorable cross-examination, before an upright, impartial jury or judge. And no written or printed testimony, of any name or nature, which could be at all regarded as countenancing the claim of the South Church, has ever yet passed under our eye, which cannot most easily be repelled, neutralized, or resolved into nothingness.

The evidence of historical documents, properly so called, is very limited. Dr. Bentley's "Description of Salem" briefly, but very accurately, records the separation from Dr. Whitaker, and the establishment of the minority as the church which settled the Rev. Mr. Hopkins, in November, 1778. "They who separated themselves from Dr. Whitaker, purchased an assembly house, built in 1766, and took the name of Third Church. Dr. Whitaker with his friends erected a new house called the Tabernacle, in 1776." "He had claimed to be under presbyterian government since 1769."

As an *authority*, worthy of real respect, in the decision of the present question, this is the earliest, if not far the best of all historical testimonies, from impartial and independent witnesses. "They who separated themselves from Dr. Whitaker *took the name of Third Church.*" It was not Dr. Whitaker that separated from them; but *they from Dr. Whitaker.* They were not the Third Church; were neither considered, nor called the Third Church; but they "*took*" what did not belong to them, "*the name of Third Church.*"

Dr. Bentley knew the prominent facts, as well as any other man, who has left any written witness concerning them. Although his notice is very brief, it is strictly accurate, we believe, in every particular. It outweighs all testimony of every description, in favor of the South Church, as being the identical Third Church of 1735.

Rev. J. B. Felt, in "The Annals of Salem," first published in 1828,—very correctly represents the Council of Feb. 14, 1775, as convened "*to form a church*" of the brethren and sisters, whom he styles "*seceders from Dr. Whitaker's church.*" He also describes them as "*dismissed*" according to a decision of the Boston Presbytery. After extracting from the Records of the South Church, what he conceives to be the substance of the "*construction*," he has elsewhere referred to some incidents or transactions in the church then FORMED, which, however, he follows the Records, in calling Third Church,—as if it were properly so called. The Third Church, he had previously stated, "*became presbyterian in 1769.*"

In the Quarterly Register of the A. E. Society, there may be found a complete list of the "Congregational and Presbyterian ministers, who were settled in the County of Essex, Mass., from the first settlement to the year 1834. By Rev. Joseph B. Felt, late of Hamilton, Mass." For the ministers of the Tabernacle and South Churches, we have the following series :

"TABERNACLE CHURCH.—Samuel Fisk, 1735; Dudley Leavitt, 1745; John Huntington, 1763; Nathaniel Whittaker, D. D., 1769; Joshua Spaulding, 1785; Samuel Worcester, D.D., 1803; E. Cornelius, 1819; John P. Cleaveland, 1827; Samuel M. Worcester, 1834."

SOUTH CHURCH.—Daniel Hopkins, D.D., 1778; Brown Emerson, D.D., 1805."

We have no need of comment upon the difference between this series by the compiler of the "Annals," and that of the Appendix to the Sermon of 1843. Very certainly both cannot be correct.

"The Essex Memorial," 1836, has the correct date and style of the two churches ; and it is a work, which is as accurate, we believe, as any of its class. "The Salem Directory," has the same. Although published by a member of the Tabernacle Society, it is not, we trust, any the less credible or creditable. The "Congregational Register for 1847, by Rev. Parsons Cooke,"—which is the latest compilation, in which we have seen any notice of the churches,—gives the number of years since the constitution or beginning of all the Congregational Churches in Massachusetts :—for the Tabernacle Church, 111, and for the South, 71.

There is one notable exception to this class of testimony, and the only one of which we are aware. It is that of "Hayward's Gazeteer, 1846," in which the South Church is styled Third Church, and four of the pastors of the Tabernacle are placed in a series, as if the predeces-

sors of Dr. Hopkins and Dr. Emerson;—precisely as first published in the Appendix of 1843. The Tabernacle Church, and all the other churches in Salem, even to

“Mormon Church, 1842, Elder Snow,”

are exhibited in tabular views which, up to the very date of the Sermon, are, as any one may see at a glance, most faithfully copied from that same Appendix!—There is a single omission of a term, for which we can divine a significant reason in the mind of the copyist; and also one abbreviated variation, which may be a misprint, but very probably was used as a synonyme, by which Dr. Whittaker is made to “resign” at the Third Church in 1774, instead of “withdrawing,” as stated in the original. Thus we have an entire mistake, founded upon an entire invention or imagination. If any think highly of the conclusiveness of an argument of history, or the strength of confirmation, from such a transcript, with such an almost exact coincidence to an iota, in errors and originalities, we shall not contend with them. We ourselves must admit, that, in all that we have read or heard, we have never found anything more decisive, historically and logically, against the claims of the Tabernacle.

Perhaps we ought to except the remark upon Mr. Huntington’s Sermons, in the little “Catalogue of the Library of the First Church,”—among divers other brief suggestions, biographical or critical; and which directly connects Dr. Emerson as a successor of Mr. Huntington,—just as they would seem to be, especially to a comparative stranger in Salem,—who, with the “Sermons” of that revered minister, whose fragrant memory is so dear to us, should also have before him the title-page of the discourse at the funeral of Dr. Hopkins, or some kindred publication. This, therefore, may be of very great weight, as authority! If it should ever be quoted against us, we may think it wise to be silent, until we recover ourselves.

But if we may be pardoned a little relief of episode, we will pass to another kind of historical evidence, that of *unpublished* manuscripts. We are acquainted with several different sketches or memorials of the churches and pastors of Salem; which are quite as credible and valid, as if they had been issued from the press. There is the one, e. g. which, with the “Salem Directory,” was under the eye of the gentleman, who drafted the order of procession on the 4th of July. Its witness, like others that might be named, is true for the right.

We must refer more particularly to that which we ourselves have, in the handwriting of Dr. Worcester, and which was prepared, not long after the death of Dr. Hopkins. Speaking of the South Church, which he never allowed himself to call Third Church,—he says:—“That part of the church and congregation which separated from Dr. Whitaker in 1774, purchased the Assembly House, and fitted it up for a place of worship, and *not with perfect propriety assumed the name of the Third Church.*” Again he says,—“When the separation took place, fourteen male members *left the church, and formed the church*, over which Rev. Mr. Hopkins was ordained,” etc. The reader will not overlook such terms, as “separated,” “formed,” and “assumed.”

Those who are conversant with Dr. Worcester’s manner, need not be told, that “*not with perfect propriety*” means, that, in his judgment, there was an essential *impropriety*. Neither have we occasion to inquire if any one, living or deceased, is entitled to any higher regard, in his opinion upon the merits of the question before us.—No man in all New England had a more profound and enlarged understanding of the rights and usages of our churches. And so thoroughly persuaded was he of the unsuitableness, the ecclesiastical falsity of the title *Third Church*, as assumed by those who separated or seceded from Dr. Whitaker, that he even made a correction in the record of a missionary contribution, which had been sent as from the *Third Church*,—so that the public acknowledgment of it should be from the *South Church*.

And this he did, doubtless, under the constraint of the refined delicacy of his moral feelings and judgments;—which made him keenly sensitive to all deviations from the strictest truth and correctness. In the hearing of those, who still survive,—he expressed himself in terms, neither equivocal nor very mild, as disallowing every particle of the claim of the *South Church* to the title of the *Third Church*; and as marvelling, that any vestige or shadow of such a pretension should be suffered by themselves to remain. We speak advisedly.

We have been reminded, however, that in the publication of the Sermon, etc., at the Installation of Mr. Cornelius in 1819,—the Rev. Dr. Emerson, who gave the Right Hand of Fellowship,—is printed “as the pastor of the *Third Church in Salem.*” And what does it prove?—Dr. Worcester could not have put that title there; and if he had seen a proof-sheet, he would have altered it. Mr. Cornelius had but just come to Salem, and if he had seen the title, would not have been likely to ask any question concerning it. By

vote of the church he was directed to procure for the press a copy of Dr. Beecher's Sermon, Dr. Worcester's Charge, and Dr. Emerson's Right Hand of Fellowship. The printing was done at Andover;—and it is not very probable, that the proof-sheets passed at all under his eye.

Dr. Emerson may have forgotten the circumstance; but we have no question, that, according to custom in such cases, he wrote his own title for himself, at the head of the copy which he sent to the press. And in any event, the Tabernacle Church are no more responsible for its appearance in the publication, than they are for the inscription, 'THIRD CHURCH, 1735, which "not with perfect propriety," has a place over the pulpit of the South Church. In no case whatever, is it known that the Tabernacle Church ever designed to acknowledge the claim of the South Church, to the style and consideration of the Church of 1735.

It is not impossible, that, in some instances, the name Third Church may have been used by members of the Tabernacle, when the South Church was meant. But never for one moment did any one of them imagine, that the church, called Third by *themselves*, had any claim to be considered the church of which Rev. Messrs. Fisk, Leavitt and Huntington were once pastors. And as "strange things to our ears" was the sound of "*Third Church*," at the beginning and end of a short communication in November last, in answer to one which, as usual, was addressed to the *South Church*.

If the present, or the former pastor of the South Church, printed their names on the title-page of their sermons, as of the Third Church; if letters of dismission have at times or always been made out in the same style; if, though very ambiguously, as in the Sermon at the funeral of Dr. Hopkins, it is implied that the South Church is the old Third Church; and especially, if the whole claim is put forth unreservedly, as for the first time, in the Sermon of 1843; —it would be expected, that the church would, at least sometimes, be called by others the Third Church, and not unnaturally be "*considered*" by some, as "the Third Congregational Church in Salem." But this by no means proves that this church is the Third Church of 1735, or has been so considered by the public.

We should now be willing to submit the question to all the oldest inhabitants of Salem, and to all of middle age, who have been conversant with the history of the place. And we should feel quite safe in pledging ourselves, never again to open our mouths or write a syllable upon the subject,—if there can be found, out of the limits of the South

Church and Society, as many as ten persons in this whole community, of the classes specified, who ever thought or heard of more than *two* ministers, as the ministers of that Church and Society, until the Sermon of 1843 !

And none are more competent to decide such a question ; a question of fact, of observation, and not of imaginary "construction," or metaphysical abstraction. One living witness may be worth a whole library of compilations, as usually prepared. And if now the general impression in this city, be not most decidedly and assuredly, that the Rev. Dr. Hopkins was the only predecessor of Rev. Dr. Emerson,—then the writer can place no reliance whatever, in regard to any fact, upon the uniform and invariable witness of his observation and experience, which is not very limited,—for more than an entire generation. Can any one point to the native inhabitant among us,—who, having reached the age of four score years, and having never been a member of either church or society,—has the least idea of the South Church, as being the Church, of which Rev. Messrs. Fisk, Leavitt and Huntington were once pastors,—to say nothing of Dr. Whitaker ?

The descendants of Mr. Leavitt always speak of their ancestor, as one of the former pastors of the Tabernacle Church, and no more associate his memory with the Church of the South Society, than with that of the Crombie Street.

The common or popular name of the Church, is not *Third*, but *South* Church. The Church is so called in public solemnities by the pastor of the church, as well as other pastors; and almost invariably in printed documents. And in all letters missive to the Tabernacle, from churches abroad, in which that church is mentioned, it always is the *South* Church, or Dr. Emerson's. And until 1843, or until the occasion arose for the present discussion,—it may be questioned, whether twenty persons, under forty years of age, not connected with the South Society or the Tabernacle, could have told on the instant, which church in Salem is meant by *Third Church*; so *obsolescent*, if not *obsolete*, has the name really become.

"Upon Mr. Fisk's dismission from the First Church," says Dr. Bentley, "another house of worship was raised, and it may be called the *Third Church*, though it refused the name." There are circumstances in which a name is imposed by the community against the wishes of all who are specially interested. And if there be an obvious reason in "the fitness of things," it may ultimately, if not very soon, prevail over every other received or desired designation. Our brethren of the *South Church*, therefore,

should not be surprised, that the remark has so far been verified in their own history. We of the Tabernacle had an early experience, in full demonstration of its truth.

CONCLUDING REMARKS.

There is no power in a name or title to make a church what it is not, as it respects the date of its beginning, or any of the rights, which belong to such an organization. Numerical terms, however, *first*, *second*, *third*, etc., ought not to mislead us. As a part of the name or style of a particular church, they should agree with events of history, in chronological order.

In the settlement of New England, the terms *first*, *second*, etc., denoted congregational churches invariably. But as churches of other denominations grew and multiplied, there was an obvious difficulty in *preserving the truth of history*, according to the primary principle of designating the relative age of Churches. The difficulty was increased, by changes of boundary lines. And we think it not unlikely, that the necessary changes of numerical designation, when "Salem Village" and "Middle Precinct" became Danvers in 1757, may have had an influence in determining the name, by which the North Church, 1772, has ever been distinguished. We never heard of its having been called *Fourth Church*.

It now so happens, that all the congregational churches in the city, excepting the *First*, are known by other designations, than numerical,—as East, Crombie Street, etc. And in popular usage, the *South Church* is just as much established as a distinctive and appropriate designation, as *North Church*. Whence originated the name, but from the *South Meeting House*, just as the *Tabernacle Church* was so called from the name of the place of worship? And what more appropriate name could our brethren take upon themselves, or with one consent recognize in all documents, and upon every occasion? The inscription which may now be seen above the pulpit of their "holy and beautiful house," is, in our humble apprehension, as much out of place, as that of *SOUTH CHURCH 1775*—would be, if emblazoned over the entrance of the Tabernacle.

It is no credit or honor, as we conceive, to any individual or to the whole body, that the Tabernacle Church is entitled to be considered older than the South Church.

And it would neither comport with dignity nor uprightness, to insist upon any claim of priority, from any imagined advantage that merely flatters natural pride or self-complacency. But if there *be any pleasure*, or any profit in the distinction of earlier origin, then, of course, it should be enjoyed by those to whom it justly belongs. "RENDER TO ALL THEIR DUES."

The truth of history should be paramount to all private wishes, traditional prejudices, or favorite opinions. And the question ought now to be put at rest, that it may never again be the remotest occasion of collision or unpleasant feeling.

We may be told, that such discrepancies, for example, as those upon which we have at last been compelled to animadvert, are of very little consequence. But is it so? They may never have occasioned any loss of life, or the perpetration of any "iniquity to be punished by the judges." Still we have always been taught to consider it a very serious evil, that men should contradict each other. And we doubt if the evil be any less, if they are men of such character, and contradict each other so courteously or so undesignedly, that other people know not what to believe as the truth.

Confidence is the primal bond of society. And *truth* in the statements of the historian, the annalist, the biographer, the writer of any name or nature,—works of fiction or imagination excepted,—is justly accounted of no less importance, than truth as spoken from mouth to mouth, in affirmation or denial, whatever be the subject, the occasion, or the circumstances. Most laboriously, therefore, have some investigated and established the *authentic* dates and connexions of events and transactions. They have thus made themselves eminent public benefactors.

If our brethren of the South Church shall continue to style themselves in any of their documents, as if the Third Church, neither we nor the community can restrain them. But if they shall hereafter publish the Tabernacle Church, as but beginning to be in 1774,—a year when our years were already "forty, save one,"—we shall be constrained to protest openly against the procedure, as a grievous infringement of historical verity. We shall not denounce them, nor disown them as brethren. Our friends and the public must judge between us.

If, however, they should now pass a vote, by which they should discard all pretension to the name and consideration of the Third Church of 1735, they would do no more than was done by our mutual predecessors, as we may account them, who, after twenty-seven years of strife, mag-

nanimously renounced the name of First Church. And if henceforth they should identify their origin with the date of their organization and recognition by the Council of 1775;—abjuring the absurd “construction;” and if also they should call themselves the South Church, in all their future documents and proceedings, as they are so generally, and have so long been called and considered;—we very kindly and respectfully submit, whether it would not be a just and reasonable, a high-minded and fraternal *rectification* or emendation of their Records?

We ask for nothing, which impartial judges would not grant us. Strong as are our local attachments and our cherished convictions, we do trust that in this matter of our difference with our brethren, we have an immeasurably higher regard for *what is true and right*, independent and exclusive of all personal feelings and considerations. It should certainly be so with us, if it be otherwise. We should be willing to know what is really *true*, and act agreeably to what in a christian judgment has the preponderating evidence of *right*. Rights, which are consideredinalienable, like that of liberty, may be waived or relinquished, in a choice of evils; but a voluntary surrender of facts can be expected of none.

We might have argued the question in much more detail. We have aimed to avoid “doubtful disputations,” and to exhibit what is most needful to an enlightened and adequate perception of its essential merits. It admits of a very simple statement and elucidation. But it may be easily and undesignedly involved in many entanglements or bewildering intricacies. Utter confusion may be produced, if, to “make the worse appear the better reason,” any one should avail himself as he may, of apparent and real inconsistencies and contrarieties, in the true history of the deceptive and tortuous management of Dr. Whitaker, and the very peculiar and perplexing nature of the contentions and divisions in the Third Church, during his untoward administration.

Any subject may be made a question, and of course any question may be argued on both sides. Even a self-evident truth may be denied, and he who defends it, having the burden of proof, may find that he has the hardest task as a reasoner. We have had some consciousness of this fact, in discussing the present question. While fully sensible, that, as in other cases, where a question involves matters of history, and where personal feelings are strongly enlisted, there is much that may be said, not only through error or mistake, but in all honesty and sincerity of confidence, by those who advocate the claims which are opposed to

ours;—we are yet most thoroughly persuaded, that it would be difficult to state an important point of grave and earnest discussion, where there is so little of really *disputable matter*, in what a well-disciplined mind ordinarily regards, as pertaining to a just issue. But it is impossible to correct mistakes effectively, in a very brief space; and a single bold denial of a fact, or a line of confident error, may require many pages, or a whole volume, for a reply or an exposure.

If we have violated any law or principle of fair discussion,—discussion for truth and not for triumph,—it has been through ignorance, inadvertence, or infirmity. We have spared no pains, to acquaint ourselves with every part of the subject, in all its relations and bearings. And if in any mode or degree, we have made any misstatement, we shall deeply regret it; but shall have the consciousness of a most sincere, laborious, and unwearied exertion to be rigidly correct.

We know full well, that some will never admit any fact, or recognize the cogency of any reasoning, which conflicts with their desires. With them “the small dust of the balance,” when raised in their behalf, would seem to have substance and magnitude and grandeur, like “the munitions of rocks” in the Alps or the Andes; while the demonstrations of truth against them, though “strong as proofs of holy writ,” and immoveable as “the everlasting hills,” are but “trifles light as air.”

If such statements and arguments, as we have adduced, fail of producing conviction and persuasion, in the mind of any one, who has had any doubt upon the question, which we have now discussed, we should have but feeble hope of success from any additional considerations. Yet if occasion requires it, and Providence permits, we shall probably not be slow to resume our pen. Be this as it may, the discriminating will be able to perceive, where *the true and the right* are to be found.

We stand ready to argue the question, and then put our Records, our pamphlets, our papers of every kind, into the hands of any competent committee of advice or adjudication; and we will cheerfully abide the result of their deliberations. We have no concealment of any thing. We would have recourse to no special pleading. It is upon the open and the broadest grounds of fact and of justice, of usage and of law, of sound logic and christian manliness, that we assert, and would ever vindicate the claims of the Tabernacle Church, to be considered the Third Church of 1735.

We very much fear, that some of our brethren have attributed to us motives and feelings, which have no existence in our hearts. We would fain hope, that no distrust of our brotherly kindness may hinder any one of them from being "built up" "in Christ Jesus the Lord," "and established in the faith, as they have been taught, abounding therein with thanksgiving." And whatever obstacles may embarrass their endeavors to love us freely and unfeignedly, "in the bonds of the gospel,"—it shall be our earnest desire, that they may all walk worthy of "the high calling," and more and more be "constrained" by "the love," which "passeth knowledge." We shall rejoice in every token of their prosperity, and devoutly unite our prayer with theirs, that every blessing of the God of peace may rest upon their venerated and beloved pastor, upon each member of the church, and upon all in the congregation.

We shall always remember, as we trust, that we are brethren, and as heretofore be ready to co-operate with all the churches of our common Master and Saviour, in works of faith and labors of love. And may we all find mercy of the Lord, in the day when the secrets of all hearts shall be revealed !



This vindication, it may be proper to add, has been prepared in behalf of the Tabernacle Church; and appears in its present form, that it may be a convenient document of information and reference. Whatever may be deficient, or objectionable, in its matter or its manner, is not to be ascribed to any defect in their CLAIMS, or to any unkindliness in their spirit or purposes. They are responsible only for the discretion, which they have so freely given—

To their

Unworthy

PASTOR.

APPENDIX.

A. Page 4.

Nothing was further from our intentions, than a "stirring up of strife." A breach existed already, at least so far as we are concerned; and we deemed it our duty to adopt immediate measures of conciliation. We prefer an intercourse of friendship, which is not formal or reserved, but most sincere, ingenuous and fervent. It certainly ought to be true of the brethren of such churches, that they could confer together "face to face, as a man speaketh unto his friend," upon any subject of difference,—especially a question of history or of ecclesiastical order,—without endangering their amicable relations. If it was supposed, that, at the close of an interview, the respective parties would still be no less, if not more at variance, we are very sure, that our own impressions and hopes were quite the contrary. And if brethren, so circumstanced, should in like manner always decline such proposals, as we most cordially made,—it is obvious, that no serious disagreement or difficulty could ever be settled. Was it not a sufficient reason for compliance with our request, that whether we are right or wrong, it could not well be doubted, that we are honest in our convictions?

B. Page 8.

Under date of May 12, 1769, Dr. Whitaker accepted of the invitation of settlement upon conditions,—among which were these, viz:— "If this Church will consent to be ruled by the minister and ruling elders, chosen by the church, or from the members of the church, by the church and society, if desired by both; and the choice to be annual, if both church and society think best: which ruling elders and minister shall stand in relation to one another, and to the church, in the following manner, viz: The minister to be the moderator of the Sessions or Eldership, and they not to make a Session nor to execute any church act without him,—agreeable to Cambridge Platform; which says, that in an organic church and right administration, all acts proceed after the manner of a mixed administration, so that no church act can be consummated, without the consent of both."

2. "The ruling elders are the representatives of the brotherhood or whole church; and are to take care of their privileges, and also to assist the minister in government as officers of Christ set in his Church for that purpose.

3. * * * * * "I recommend it to the church to proceed, as soon as may be, to agree upon a stated Council or Judicature, to whom all affairs may be carried, which cannot be peaceably settled by the Sessions."—(This article had respect to difficulties, which might arise between the pastor and the "Sessions,"—for which a Congregational Council might be called, until the "stated Judicature" should be "agreed upon.")

In article 4th, a similar provision was made for brethren and sisters generally. "Yet whenever a stated Judicature shall be fixed on by the church, all shall be restricted thereto."

These with other conditions were accepted; "the church, as an organic body, reserving the liberty at any time hereafter to alter any of the articles in the Dr.'s answer, etc., as it shall please God to give them light, from time to time."

The foregoing, with other records of business at the same meeting, is thus attested:—"Read three times and voted. BENJ. ROPES, Scribe."

And the preamble reads thus:—"At a meeting of the Brethren of the Third Church of Christ in Salem, on adjournment at the meeting house, on Friday, May 19, 1769, the church having taken into consideration the Rev. Dr. Whitaker's answer to their call to settle among them in the work of the ministry,—*after mature deliberation, they do unanimously approve of it.*"

In a letter of April 6th, Dr. W. had said to John Saunders: "I will freely tell you, that I never was so perfectly sick of Congregationalism or Independent Government, as I now am; and if I come to Salem, I must make it a term of settlement to join the Presbytery. I give you leave to communicate this to friends, as you please."

 Dr. Whitaker was installed, July 28th,—and the first ruling elders, according to agreement, were appointed Sept. 11. They were John Gardner, James Ruck, Jacob Ashton, Thorndike Procter, and Benjamin Ropes.

With all this covert and actual presbyterianism, the church remained, for five years, so far *congregational*, as not to be accounted presbyterian, in the usual acceptation of the term. The Book of Records, kept by Dr. Whitaker himself, had the same style as ever, with a few trivial exceptions. And so also to the end of his ministry, after as well as before the connexion with the Boston Presbytery, the Records are in the same style.

The important fact of this connexion had no record at the time; and there is no mention of it, until almost ten years afterwards; when Dr. Whitaker copied divers papers into the book, for his own defence, and by his own authority. In the regular series of recorded proceedings, the only notice whatever, which relates to the presbytery is, that the Doctor, May 18, 1774, read an address, which according to a petition of a number of the brethren, he proposed to lay before the presbytery, the ensuing week. Even this is not in its chronological place, and it is doubtful whether it was there at all, until long after the date. Some of the papers surreptitiously added by Dr. W. are valuable. He designed to prove, that the church had been presbyterian, from his settlement.

The truth of this extraordinary and anomalous state of things in the Third Church, was nearly approximated, we believe, if not fully reached, in the Centennial Discourse at the Tabernacle, in 1835. Without using the name *presbyterium*, it was Dr. Whitaker's policy to break away from all congregational bonds, as fast and as far as he could. By his mode of settlement and general deportment, he alienated the minds of neighboring ministers and their churches; so that the Third Church was soon left in an insulated position of spurious independency. Other churches regarded it, practically at least, as not in congregational fellowship.

Yet was the church *congregational* enough to allow Dr. Whitaker to propose to Mr. Cleveland a plan for a Consociation of Churches, as in Connecticut; which, of course, implied that the Third Church was not yet strictly *presbyterian*. On the whole, therefore, although a Council in Feb. 1784, resolved that the church was congregational, when Dr. Whitaker took charge of it in 1769,—it would be more nearly the truth

to say, that it was a *Congregational-Presbyterian-Whitakerized Independence.*

And in view of the whole history of Dr. Whitaker's career in Salem, we feel very safe in saying, that it requires no small amount of patient study, so to understand the affairs of the Third Church, as to speak with the persuasion of clearness and confidence. Statements, which are perfectly true, may seem at first so very inconsistent, as to be absolutely incredible. We have had an illustration in our personal investigations repeatedly. We saw the same in our correspondence with our brethren of the South Church;—in the manner in which they very honestly, as we doubt not, but erroneously interpreted some remarks of ours,—which appeared very strange to them, but for which the real history of the church, and not we, must be held primarily, if not wholly accountable. We never have known a more complete and singular verification of the adage,—“the truth is stranger than fiction.”

You may read upon one page of a manuscript or pamphlet, and draw an inference very confidently, which perhaps the very next page or paragraph will utterly contradict.

C. Page 9.

The majority were willing to be connected with the Presbytery; but Dr. W. doubtless feared a failure in his designs, if the “uneasy brethren” should have full knowledge of them, or if the presbytery should be fully apprized of the state of the church. Instead, therefore, of taking a vote of the brethren, after due consideration, and with deliberate understanding of the change proposed, he obtained from the majority, in a more or less private manner, their signatures to a petition that he would take measures to bring the church under the watch and care of the Boston Presbytery. At pp. 28 and 29, the proceedings are sketched.

The petition was dated Nov. 27, 1773;—but was not used until May following. At a church meeting, when but one of the “minority” was present, Dr. W. read the paper, mentioned in the foregoing Note. None made objection, as he says, except Capt. Gardner. On the Sabbath, also, he gave notice of his intentions, and informed objectors, that they could appear at Palmer and urge them.

This was obviously an irregular proceeding; yet there was a full consent of the majority. And the church was just as really connected with the presbytery, as if a formal vote had been taken, after open and protracted debate. There has been an annexation of a State to our Union,—as none will deny,—however *unconstitutional* the manner, by which what could not be accomplished by Treaty, was made sure by a Resolution of Congress.

The petitioners refer to a certain paper of complaint by the minority,—and say: “Whereas far the greatest number of those who signed the paper, have withdrawn from the communion of this church, for more than a year, and all but one for many months, without giving any reason to this church,” etc. And whereas we deeply lament such conduct of our brethren, etc., and lament, also, the weakness of this church, which renders them incapable of rectifying those disorders, while alone and unconnected with, and not under the watch and care of their sister churches, who may be ready to afford us their aid to settle difficulties among us, which are too great for us, as the present appear to us to be; and as the plan agreed upon between you and this church in 1769, leads to such an union with other churches for this end:” “Therefore, we earnestly desire you to join with us in applying

to the presbytery in this province, and to pray them to take this Church under their watch and care, and receive us as of their body ; and that you with the Elders draw up an Address, and present it to said presbytery, as soon as may be, for the above purpose," &c. Dr. Whitaker's "Address" was dated May 18, 1774.

For the "personal" nature of the controversy with Dr. Whitaker, take as an example the following letter. It was written by the late Hon. Timothy Pickering—the same who officiated when the Dr. was inducted into office.

"To the Rev. Dr. Whitaker,

SIR—Some proposals in your hand-writing are presented to us the aggrieved brethren of your Church, which seem to import an intentional remedy, or palliate the mischiefs which we think are and will be occasioned by the plan of government, you with fair words and goodly speeches persuaded us to adopt ; but unhappily they only seem to do this. For not to remark upon the absurdity of your making two churches of one, which is nevertheless to continue to be but one ; what will signify the ordinary acts of the brotherhood, if the ordinary executive officer refuses to execute them ?

And by your proposals you are to be at liberty to do this or not, as you think best. In what does this differ from an effectual negative ? Judge, Doctor, so much artifice appears in these proposals, we cannot but consider them a fresh attempt to impose on our too credulous simplicity.

At the time we accepted your plan of Church Government, we must by our vote have thought ourselves at liberty to alter it, if found mischievous or inconsistent. The reservation in that vote, must otherwise be most trifling and impertinent.

But Doctor, if your proposals above mentioned, to us appeared candid and ingenuous ; if they contained any valuable concessions ; nay, if you were to consent to erase from its very foundations, your whole system of church government ; what would it avail ? Would the proud, the arrogant, the haughty man, hereby be rendered humble ? or the violent and overbearing be inspired with the mild and gentle spirit of the Gospel ? and all the difficulties in your Church and Society be removed ?

Nevertheless, we would not refuse to reform one because we cannot reform every evil. And your church government we account a great one ; and the more grievous, because we think you have essentially departed from the spirit of it, and your professed intention in setting it up. We therefore earnestly desire to have it totally demolished ; and that this Church may return and rest upon the solid basis of pure and unmixed Congregationalism.

We are, Rev. Sir, your aggrieved brethren,

Signed, Addison Richardson, James Nichols, Timothy Pickering, jr., Robert Peele, Daniel Cheever, Stephen Abbot, John Waters, Thorndike Procter, Samuel Symonds, Thomas Needham, Benjamin Ropes, John Saunders, Samuel Very, John Gardner.

November 18th, 1773."

For other matters of the "personal" controversy, see Salem Gazette for 1774.

DISMISSION.

"The aggrieved brethren" were dismissed by the Presbytery, because Dr. W. and the Church had brought the difficulties before the body, and submitted the whole for action, according to presbyterian usage. The minute of Sept. 16, 1774, at Salem, advertises to the refusal of the

brethren to unite with Dr. W. in "a decisive Council" of Congregationalists and Presbyterians equally,—"on reasonable terms, as the Presbytery think;"—and then says,—"and as the said persons do utterly disclaim the presbyterian church government, it is unanimously agreed, that they be dismissed from the presbyterian church under Dr. Whitaker's pastoral care," &c.

"Resolved, That as there is a number of female members, who have not been adverted to in the preceding minute,—who have absented themselves from the Church, that if they see fit to return any time before next Jan. 1775, they be received; if not to be dismissed also."

The brethren and sisters were, as we suppose, dismissed *without censure*, although nothing is said upon the point;—and the intention was, doubtless, to give them an opportunity of forming new ecclesiastical relations, although Dr. W. evidently had no idea of their forming a new Church, and much less ever assuming to be the old Third Church of 1735. Hence he was violently opposed to the doings of the Council of Feb. 1775;—and even claimed some right to "the fourteen brethren" as yet belonging to his Church. He might in a sense so consider them, until they had been recognized as members of some other church. But it is no injustice to say, that he scrupled not to employ any argument or device, to accomplish his personal ends. What he said and what he wrote, must be taken with many grains of allowance, except so far as known facts or circumstances confirm his statements or professions.—(On p. 19, *June*, 1774, should be May, 1774.)

D. Page 21.

"Dec. 6, 1774.—Voted, That whereas Mr. Benj. Ropes was desired by the Session of this Church, Nov. 26, 1770, to take the Church money into his hands, and settle the Church accounts; and as the Church know not how these accounts stand; the Church now desire the deacons to wait on said Ropes, and settle the Church accounts with him, and receive the money from him into their keeping: and also to wait on Mr. Richard Lang, and know of him what money is in his hands, belonging to the Church, which he may have received since he provided for the tables, and to receive what he may have. Also that the deacons wait on Mrs. Lee, and take an account of the plate belonging to the Church now in her keeping.

"April 9, 1775.—Voted, That the two deacons be desired to wait on the widow Elizabeth Lee, and demand the plate in her keeping belonging to this Church; and also one hundred pounds, old tenor, and that they give her an indemnification, if she shall desire it." This was about *two months* after the Council, which organized "the fourteen brethren." What can be plainer, than that these last could not retain any part of the property of the Third Church?

E. Page 22.

We mean by "demand" what is meant in the preceding Note.—Compare also a vote, "April 5, 1784.—Voted, That Samuel Jones, Wm. Safford, and Wm. Gray, 4th, (the Committee appointed to transact the business of the Church), be empowered to make a *demand* of the plate belonging to this Church, now in possession of Dr. Whitaker; and to take such measures towards recovering the same, as they shall think best."

No such *demand* as this, was ever known to have been made by Rev. Mr. Hopkins' Church. If it had been, however, it would not have proved, that the members had a *legal* title to the "plate" and other "interest."

Oct. 15, 1785, after voting to comply with the request for attendance at the installation of Mr. Spaulding, the South Church voted, to appoint a Committee "to divide the plate and other interest, belonging to this and the Tabernacle Church."

Messrs. Jones, Gray and Safford, were the standing business Committee of the Tabernacle Church—appointed the previous March 1st. They, however, had not power to divide the plate, and hence a meeting of the Church was immediately called. It is well remembered by one still among us, how the subject was introduced and considered Oct. 20th. It was suggested, that as the First Church had divided the plate with *them*, so they ought to divide with their brethren. It was in itself very reasonable. And as an expedient for peace and fellowship, it was highly desirable to gratify their brethren of Rev. Mr. Hopkins's Church. Hence it was

Voted, Oct. 20, 1785, at a meeting of the Church at the house of Mr. Wm. Safford.—"That they do consent and agree, that the plate jointly belonging to this Church and Rev. Mr. Hopkins's Church, with all other interest thereunto belonging, be equally divided between them; they, Mr. Hopkins' Church, paying one half of all expense and charge, which has or may arise from the same."

This is the only vote of the Church on the subject, and the only notice in the regular course of record. If there could be any question, in respect to the word "interest," we would cite several other votes of previous years,—as, e. g. "Dec. 6, 1774—Voted, That two deacons be chosen in the room of deacons Ruck and Pickering, *to take care of the church interest*, and to perform the other duties of deacons."

In the present case "interest" appears to have meant little or nothing else than "plate." But that the "interest" was all *pecuniary*, is obvious from the simple fact, that it was to be "*equally divided*," at equal expense. Most certainly, neither name nor Records could have been in mind. The idea would be absurd.

The expression "jointly belonging, &c." exactly corresponded with that in the vote of the other Church, the week previous; and is a most decisive proof of the disposition to conciliate those brethren. The "expense" related particularly to the "melting up" of the "christening basin."

It may now be of some consequence to notice very distinctly, that this "settlement" was but in part like that in 1762, when committees not only divided the plate and all other property,—but the question of name and style was of specific instruction and consideration. We have a full record of the doings, which closes thus:—"Aug. 3, 1762, we gave them a discharge in full of all demands, and *relinquished to them the name of First Church*. Test. RICHARD LEE, Clerk."

We happen to have in our book of Records, though not as the business of the church, nor in any part of the regular series of such record, a copy of the private "agreement" between the two committees, according to the votes of Oct. 15, and Oct. 20;—which appear to have been all the votes, that were passed by the two churches respectively. The copy was made in 1833, with some other old papers on file; but was inserted in such a place, that the present pastor of the church had never seen it, and never heard of it, until it was discovered by some of our brethren of the South Church, while inspecting the Records at large. They misunderstood it entirely; and even interpreted it, as if all questions which had been in controversy were at that time considered and "settled." Let it speak for itself:

"We the subscribers, a Committee chosen by the Third and Tabernacle Churches in Salem, *to settle the interest belonging to said churches*, have this 19th day of Dec. 1785, met at Mr. William Safford's and

made an equal division of all said plate, being ten pieces, exclusive of the basin, in the whole; and have marked each piece belonging to the 3d Salem, in the following manner, viz. (Third Church in Salem); also have marked each piece belonging to the Tabernacle Church, as follows, viz. Tabernacle Church in Salem.

"And it is agreed by each party, that the whole of said plate shall be kept together for the mutual benefit of each church.

"N. B. The christening basin being so large, the Committee agree that it should be melted up, and that two basins be made of the same, to accommodate both churches. John Saunders, Richard Lang, Stephen Cook, Ed. Norris, Samuel Jones, William Gray, 4th, William Safford."

As the majority of the joint committee were of the other church, and the chairman also, the style of the document could be framed to suit their own wishes. But there is not the least reason to suppose, that it was intended for any other purpose, than what is obvious on the face of it. The "plate" was the "interest" to be "settled," and to "settle the interest" was to "make an equal division of all said plate."

The intended use of the plate explains the *marking*, which was altogether incidental, and in which each committee would act at discretion,—neither prescribing for the other. Without any compromise or concession, expressed or implied, the Tabernacle committee very naturally marked their own plate by a name, which, for several years, had been their most common designation; leaving the brethren of the other church to mark theirs, as they saw fit, which, of course as the prophets do not live forever, would not be by the name of their pastor. And a similar indulgence or acquiescence would be granted at the present day, in courtesy, or to avoid contention,—when an important end was to be gained in a joint operation; while at the same time there would be an inward judgment as to the propriety of the style adopted.

If the committee had given any other consent to the marking "Third Church," than that of courtesy, in signing the "agreement," they would have done it as *individuals*, and not by authority of the church. But neither the church nor the committee had any more thought of acknowledging Mr. Hopkins's church as the church of 1735, than they had of "dividing" both the name and the Records, as they divided the "christening basin." And to divide the Records, we may add, in any year of Dr. W.'s ministry, e. g. 1773-74, would be just as feasible and sagacious an operation, as to "melt up" the name THIRD, so that the two churches might have an equal portion, each paying half the expense.

If the committee of the South Church had proposed to mark their plate THIRD CHURCH, 1735, it would have been a very different case. In course of the next year, the name Tabernacle appears to have displaced entirely the other names, as Thd. Church, Dr. Whitaker's Church, Church at the Tabernacle, etc. But this had no connexion with "the plate," but rather with the influence of the new minister, combining with the popular usage, and the obvious desirableness of uniformity. And any reasoning, therefore, from the terms "interest," (not *interests*,) "settle," etc., against the claims of the church, as being the true organization of 1735,—must be a mere *verbal* illusion. Men do not always know how they are deceived by words, and sometimes reason in soberness, when their logic is like some of the old syllogisms; such as that by which you could prove the affinity and league of every creature that hath wings, in opposition to the curtains of the night. Whether grave-ly or not, we shall not decide, it was argued:—

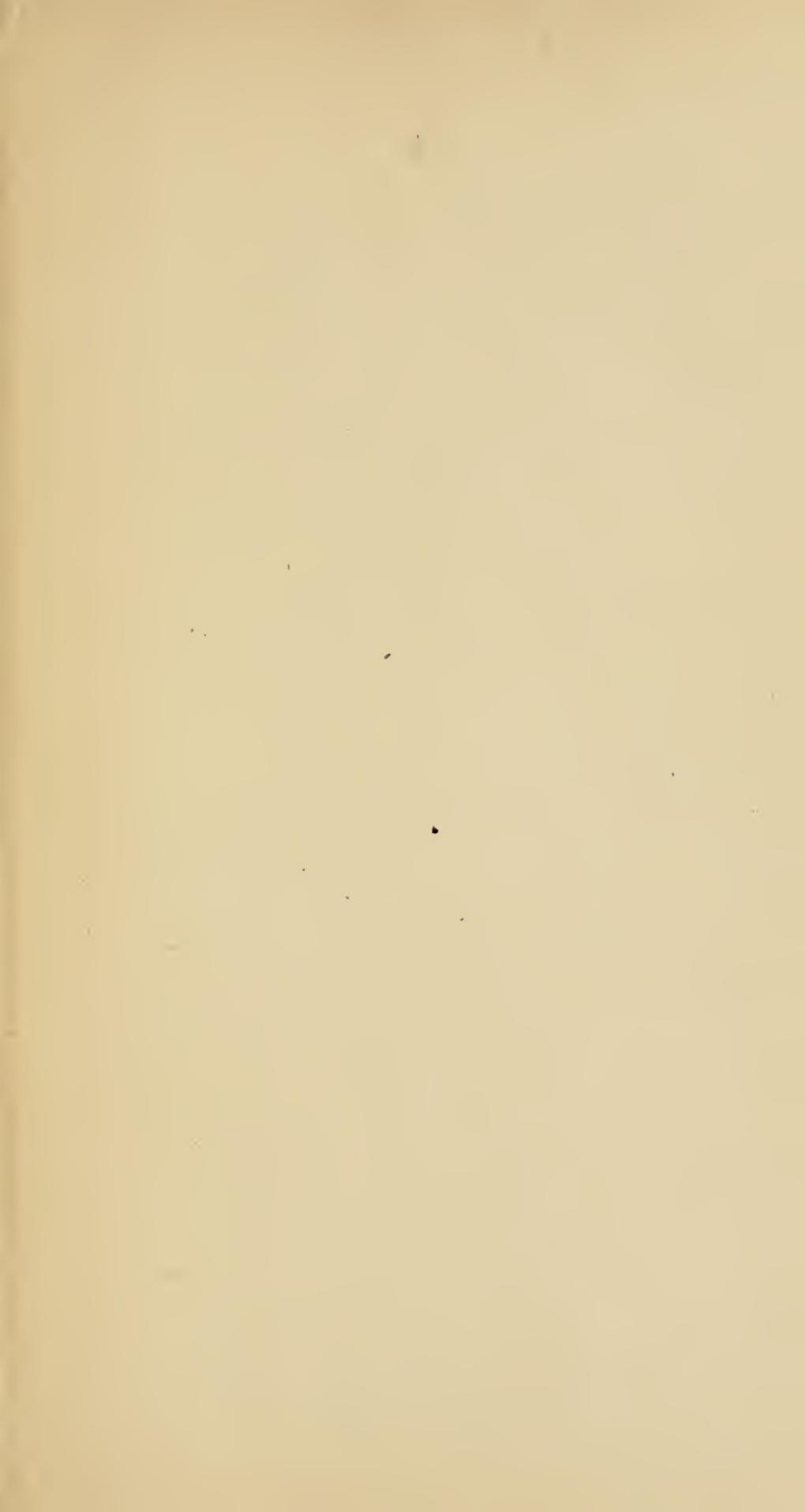
"Whatever is light is opposed to darkness:
 " Feathers are light;
 " Therefore, they are opposed to darkness."

The members of the Tabernacle Church continued to call the other church, *Mr. Hopkins's Church*, until the name *South Church* became so common.—In respect to all the transactions, concerning the plate, we have a special advantage. One of our committee has lived to the time of this discussion. About two months previous to his sudden illness and death, and when his mind was in remarkable vigor, we thought proper to inquire of him, as follows: Q. Deac. S. do you recollect about dividing the plate with the S. Church? A. Oh yes, we divided the plate. Q. Was anything said or done, in regard to the name Third church, by which it was yielded up? A. (Looking very much surprised,) *Not that I know of.* I do not recollect any such thing. Oh no. We never gave up our right to the title of the Third Church; though our people called themselves the Tabernacle Church. How could we? Why, there would have been *no propriety* in such a thing. Certainly not. We gave them the plate for *equity*,—you know. Besides, we wanted peace and friendship. They never could have had it, you know, in law. The law *never* would have given it to them,—never in the world. Q. But it is now said, that when the plate was divided, all questions about the name were settled. A. *Is it possible?* How can they say so? I am very much surprised. I am very sorry. Well, it must be those, then, *that know nothing about it.* I am sure it never was so. Q. How then came the name Third Church to be mentioned in the “settlement,” as the mark on the plate of the Church of Mr. Hopkins? A. Why, I don't know as I remember about that particularly. I don't recollect about the plate being marked. It may have been. But I suppose Mr. Hopkins's Church would have theirs so marked. We were very much depressed, and we wanted peace and friendship. * * But I know we never gave up our rights as Third Church. That I know perfectly. Why, pray, *who have the Records?* Have they? I know that in Dr. Whitaker's time, they used to pretend to be the Old Church. But they never had any claim; *not the least in the world!*”

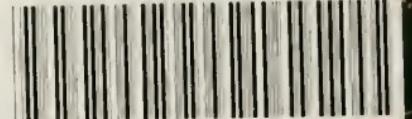
We have another venerable witness, who also was then an active member of the church, and who most emphatically confirms this testimony. Both were then in the fullest vigor of early manhood, when things of deep interest make indelible impressions.—Add now the indisputable fact, that from the division of the plate, no less than before, the members of the Tabernacle Church have ever considered their church, as did Dr. Worcester in his profoundest and sincerest judgment, none other than the legitimate, the real Third Church in Salem, or the Church of 1735.

The legal gentleman alluded to at the bottom of p. 22, was the Hon. Mr. Saltonstall. The late Hon. John Pickering expressed the same opinion; which is the more worthy of notice, because his father was so prominent among “the fourteen brethren.”

Note F. p. 29. See Note C.—Note G. p. 29. We must omit what we purposed to add; as also in subsequent notes.—Note H. p. 30. After Mr. Spaulding's settlement, the society soon recovered its ascendant influence.—Note I. p. 30. The Result, with a few comments, we should insert here, if the space had not been preoccupied.—Note J. The presbytery and the procedure were alike Dr. W.—Note K. p. 31. At p. 28, it might be understood, that *presbyterianism* disaffected the minority. It was in some cases of discipline, that the Dr. alienated them by his arbitrary and obstinate will. The disaffection would probably have been just the same, under a pure Congregationalism, if he had claimed the right, as afterwards did Mr. Spaulding, to negative the votes of the church.—Note L. See letter in Note C.



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